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TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter C—Production and Subsistence Loans

PART 342—POLICIES

USE OF LOAN FUNDS

Section 342.3, Title 6, Code of Federal Regulations (13 F. R. 9419, 9420), is amended to read as follows:

§ 342.3 *Use of loan funds.* (a) Production and Subsistence loans may be made for:

(1) Purchasing necessary livestock, farm equipment and farm equipment repairs, seed, feed, fertilizer, lime, farm supplies, and other farm needs including the acquisition of memberships in the farm purchasing and marketing and farm-service type cooperative associations. These purposes do not include the purchase of passenger automobiles, memberships in production cooperatives, or memberships for the purpose of establishing control by the Farmers Home Administration in any type of coqperatives.

(2) Paying for necessary hired farm labor during peak seasons or periods of emergency and for necessary custom work or services.

(3) Paying debts secured by liens on chattels (livestock or farm equipment) essential to the applicant's farming operations, and paying cash rent, where no other satisfactory rental arrangements can be effected, for not more than one year in advance: *Provided,* (i) The applicant is obligated under a written lease to pay the amount to be advanced for such purpose, and (ii) the terms of the lease provide the applicant with reasonably secure and satisfactory tenure.

(4) Paying taxes (i) for the current year, and (ii) for other years on property serving as security for Farmers Home Administration loans. Production and Subsistence loan funds will not be used to pay taxes, either current or delinquent, on Farm Ownership farms when Farm Ownership loan funds are available for this purpose.

(5) Paying insurance premiums on property and insurance policies serving as security for Farmers Home Administration loans. Production and Subsistence loan funds will not be used to pay insurance premiums on buildings on Farm Ownership farms when Farm Ownership loan funds are available for this purpose.

(6) Purchasing essential home equipment and home equipment repairs required by the applicant family to sustain itself on the farm in a reasonably satisfactory manner.

(7) Meeting family subsistence needs, including expenses for medical care.

(8) Erecting minor or portable buildings and making necessary maintenance repairs and minor improvements to existing buildings, and purchasing equipment and paying other costs incidental to establishing or improving the farmstead water supply, provided not more than $500 may be advanced to a borrower for any or all such purposes during any fiscal year.

(9) Purchasing fencing material.

(10) Constructing terraces and waterways and paying for other approved soil conservation and improvement measures.

(b) The use of Production and Subsistence loan funds for the purposes authorized in paragraph (a) (8), (9) and (10) of this section is subject to the following limitations:

(1) Production and Subsistance loans may not be used in lieu of the authority to make Farm Ownership loans for farm development purposes, but may be made for such purposes when Farm Ownership loans are not practical because of the limited amount of funds needed, the short repayment period required, or the tenure status of the applicant. Production and Subsistence loan funds may not be used to supplement Farm Ownership loan funds for farm development purposes which were included in the development plans at the time the Farm Ownership loan was made.

(2) Production and Subsistence loans may not be used in lieu of the authority to make Water Facilities loans in the seventeen western states, but may include funds for establishing or improving the farmstead water supply when it is not practicable to make a water facilities loan for such purposes and the cost does not exceed $200.00. However, this does not limit the use of Production and Subsistence loan funds to the extent authorized in paragraph (a) of this section

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

for necessary plumbing fixtures within farm buildings.

(3) It must be determined that any advances for these purposes can be repaid out of anticipated farm income within five years, after giving due consideration to the applicant's needs for operating loans for other purposes and the repayments thereon during the same period.

(4) Production and Subsistence loans may not be made for these purposes to tenant applicants unless such applicants have written leases for a sufficient period of time and under terms that will enable them to obtain reasonable returns on their investment. In addition, the leases in such cases must provide for compensating the tenants for any unexhausted value of the improvement upon termination of the lease. In the case of applicants who are owners, it must be determined before funds are advanced for these purposes that such applicants will likely remain in possession of the farms for a sufficient period of time and under such terms that will enable them to obtain reasonable returns on their investment.

(Sec. 41 (i), 60 Stat. 1066; 7 U. S. C. 1015 (i). Interprets and applies secs. 21, 44 (b), 60 Stat. 1072, 1069; 7 U. S. C. 1007, 1018 (b))

DERIVATION: § 342.3 contained in FHA Instruction 441.2.

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

JULY 5, 1949.

Approved: July 15, 1949.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-5912; Filed, July 19, 1949; 8:46 a. m.]

Subchapter D—Water Facilities Loans

PART 355—PROCESSING LOANS FOR GROUP SERVICES

Subchapter D in Title 6, Code of Federal Regulations (13 F. R. 9425), is amended to add Part 355 as follows:

Sec.
355.1 General policy.
355.2 Development of a group service.
355.3 Loan making policies.
355.4 Approval and closing of loans.
355.5 Business operations.
355.6 Bonding.

AUTHORITY: §§ 355.1 to 355.6 issued under sec. 6 (3), 50 Stat. 870; 16 U. S. C. 590w (3). Interpret and apply sec. 2 (3), 50 Stat. 869; 16 U. S. C. 590s (3).

DERIVATION: §§ 355.1 to 355.6 contained in FHA Instruction 442.5.

§ 355.1 *General policy.* Where the construction or repair and use of water facilities can be accomplished most feasibly through the joint ownership of facilities by several individuals, loans may be made to individual applicants for participation in the joint ownership of facilities. In such cases, however, first consideration will be given to providing the facilities through an incorporated water users association. A facility owned jointly by two or more individuals, to be known as a Group Service, may be used where incorporation is not practical and the size of the group is small, usually not more than three or four individuals.

§ 355.2 *Development of a group service.* The development of a Group Service will include generally the following steps:

(a) *Determination of need.* The County Supervisor will (1) determine the need for obtaining water facilities by group action from an analysis of the farm and home operations of the individual applicants and (2) make a study of the possibility of improving and expanding existing water facilities, if any, in the neighborhood to meet economically the needs of the applicants.

(b) *Determination of method of meeting need.* Interested families will meet to (1) discuss their common needs, (2) ascertain the methods by which these needs can best be met, and (3) study the obligations they will incur under such methods. After thorough discussion and study, each member of the group must decide whether he desires to participate and the group must decide, in collaboration with the County Supervisor, upon the plan of organization to be adopted. If technical assistance is needed, the County Supervisor will arrange with the State Director for the Water Facilities Specialist or the Water Facilities Engineer, or both, to provide such assistance.

(c) *Development and recording actions.* When water facilities are to be provided through a Group Service, the group will act on at least the following items and record its actions and decisions in the manner indicated:

(1) Develop a water facilities plan, including a cost estimate, for the construction and maintenance of a facility suitable for the needs of the group. Section 356.3 (b) (9) of this chapter will be followed in developing the content and arrangement of the water facilities plan.

(2) Develop an annual operating plan on Form FHA-375, "Annual Operating Plan," for the first year of operations showing (i) the estimated annual cost of maintenance and operation of the facility broken down by details of expense, and (ii) the estimated total amount of income to be obtained from members to defray such expense.

(3) Prepare an operating agreement setting forth decisions of the group regarding the rights and responsibilities of the users and other details needed to guide the management and operations of the Group Service. The operating agreement may be in the form of a constitution and by-laws, if the group prefers.

(4) Determine whether or not water rights, sites, and rights-of-way can be acquired for the purposes of the group. If each contact is successful and information regarding such matters is fully set out in the water facilities plan, instruments of conveyance need not be obtained until it appears that construction of the facility can and will be undertaken. The groups will make certain that it will be entitled under such water rights to receive a supply of water sufficient for its needs. The future operations of the group and the transfer of membership interests will be simplified if the title to all property to be owned by the group is owned jointly by all the members. Accordingly, sites for such structures as buildings, pumps, wells and storage reservoirs or tanks will be owned if such sites are or will be located on privately owned land or upon land owned by public agencies having the necessary authority to sell and convey land. Easements, conveying rights-of-way upon which other structures and pipe lines or ditches will be located, will be obtained from the owners of private lands traversed by the facility. In that connection, partial releases or consents to easements will be obtained from the holders of outstanding liens on the lands on which rights-of-way will be acquired. When public lands are involved and the agency having jurisdiction thereof cannot sell land and convey a title, permits, licenses or franchises will be obtained from such agency. If the water facilities plan does not contemplate delivery of water to a borrower member's property line, such member will acquire the necessary rights-of-way for the conveyance of water to his property line from the point at which water will be delivered. The group must understand that evidence of water rights and instruments conveying sites and rights-of-way will be required later in connection with the closing of loans to individuals for participation in the Group Service.

§ 355.3 *Loan making policies.* Loans made to individuals for participation in Group Services will be governed by the policies contained in Part 352 of this chapter, except that the determination as to whether a lien will be required on the jointly owned property as security for loans to individuals is one to be made by the loan approving official. When such a lien is required, the lien instrument must be executed by all of the members of the Group Service. When a lien is taken on the jointly owned property, all members of the group must understand that while the personal liability of each joint-owner is limited to the amount invested by him in the facility either from personal funds or from amounts borrowed for that purpose, the Government, in the event of breach or default by any one of the joint-owners indebted for water facilities loans, may enforce its lien by proceeding against the property mortgaged jointly.

§ 355.4 *Approval and closing of loans*—(a) *Loan approval.* The Group Service docket will be reviewed and approved or rejected in the State Office.

(b) *Loan closing.* Individual loans will be closed in accordance with § 354.4 of this chapter, the conditions prescribed by the State Director, and special instruction, if any, provided by the representative of the Office of the Solicitor. The loan checks may be deposited in a single supervised bank account subject to withdrawal on the signatures of the County Supervisor and a person designated by the group to sign checks.

§ 355.5 *Business operations*—(a) *Planning and budgeting.* Before the beginning of each succeeding year's operations, the Group Service will develop an operating plan for the next year.

(b) *Records.* The Group Service will keep a record of its business transactions to provide information from which results of operations may be determined and future plans may be made.

(c) *Summary of year's operations.* At the end of the operating season, the

Group Service, assisted by the County Supervisor, will record the actual results of the year's operations on the original and the two copies of Form FHA–375 that were prepared at the beginning of the operating season.

§ 355.6 *Bonding.* The Group Service, in collaboration with the County Supervisor, should consider thoroughly whether fidelity bond coverage should be obtained and the recommended amount thereof for the individual entrusted with Group Service funds.

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

JULY 6, 1949.

Approved: July 15, 1949.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49–5913; Filed, July 19, 1949; 8:46 a. m.]

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1949 C. C. C. Barley Bulletin 1, Amdt. 1]

PART 602—BARLEY

SUBPART—1949 BARLEY LOAN AND PURCHASE AGREEMENT PROGRAM

1949 CROP BARLEY PRICE SUPPORT PROGRAM BULLETIN

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration in 14 F. R. 2965, governing the making of loans and containing the requirements of the purchase agreement program on barley produced in 1949 are hereby amended as follows:

1. Under § 602.105, *Eligible barley,* the first sentence is amended so that the section reads as follows:

§ 602.105 *Eligible barley.* Eligible barley shall be barley which was produced in 1949, of any class grading No. 5 or better (except Class III Western barley, having a test weight of less than 40 pounds per bushel) provided such barley does not grade weevily, tough, stained, blighted, bleached, garlicky, ergoty or smutty, except that garlicky barley grading No. 5 Garlicky or better, will be eligible in the States for which a support rate is established for garlicky barley in Supplement 1 to this bulletin. The beneficial interest in the barley must be in the producer tendering the barley for a loan or purchase and must always have been in him or in him and a former producer whom he succeeded before the barley was harvested. If offered as security for a farm-storage loan, the barley must have been stored in the granary or bin at least 30 days prior to its inspection for measurement, sampling, and sealing, unless otherwise approved by the State PMA committee.

2. Under § 602.106, *Approved storage,* paragraph (a) is amended so that the section reads as follows:

§ 602.106 *Approved storage.* Approved storage for barley shall meet the following requirements:

(a) Under the loan program approved farm-storage shall consist of storage structures located on the farm, or off the farm provided no warehouse receipt is outstanding, which, as determined by the county committee, are of such substantial and permanent construction as to afford safe storage of barley.

(b) Under the loan and purchase agreement programs, approved warehouse storage shall consist of (1) public grain warehouses for which a Uniform Grain Storage Agreement (CCC Form H, Revised), in effect for the 1949 crop has been executed; or (2) warehouses operated by eastern common carriers under tariffs approved by the Interstate Commerce Commission for which custodian agreements are in effect for the program year. The names of approved warehouses may be obtained from State offices and county committees.

3. Section 602.112, *Set-offs,* is amended to read as follows:

§ 602.112 *Set-offs.* If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm-storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds of the loan or purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service fees and amounts due prior lienholders.

If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above.

Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders.

(Sec. 5 (a), Pub. Law 806, 80th Cong., sec. 1 (d) 202 (a); Pub. Law 897, 80th Cong.; 62 Stat. 1072, 1248, 1252)

Issued this 14th day of July 1949.

[SEAL] HAROLD K. HILL,
Acting Manager,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President, Commodity Credit Corporation.

[F. R. Doc. 49–5945; Filed, July 19, 1949; 8:59 a. m.]

[1949 C. C. C. Barley Bulletin 1, Supp. 1]

PART 602—BARLEY

SUBPART—1949 BARLEY LOAN AND PURCHASE AGREEMENT PROGRAM

1949-CROP BARLEY PRICE SUPPORT PROGRAM BULLETIN

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration published in 14 F. R. 2965, governing the making of loans and containing the requirements of the purchase agreement program on barley produced in 1949 are hereby supplemented as follows:

§ 602.124 *Support rates*—(a) *Support rates at terminal markets.* Support rates per bushel for barley grading U. S. No. 1, stored in eligible warehouse storage at the following terminal markets, shall be as follows:

Terminal market	*Rate per bushel for U. S. No. 1*
Terminal markets used in determining county support rates:	
Kansas City, Mo., Omaha, Nebr., Minneapolis and Duluth, Minn.	$1.28
Chicago, Ill., and St. Louis, Mo.	1.32
San Francisco and Los Angeles, Calif., and Portland, Oreg.	1.35
Memphis, Tenn.	1.38
Baltimore, Md., and Philadelphia, Pa.	1.43
Terminal market rates determined for storage only:	
Sioux City, Iowa, and Superior, Wis.	1.28
Milwaukee, Wis.	1.32
Stockton, Calif., and Seattle, Tacoma, Longview, and Vancouver, Wash., and Astoria, Oreg.	1.35

For the full support rate shown in the above schedule, the barley must have been shipped by rail at the domestic interstate freight rate. The rate at the designated terminal market will be reduced by the difference between the freight paid and the domestic interstate freight rate, on any barley shipped at other than the domestic freight rate.

The foregoing schedule of rates applies to barley delivered to any designated terminal market in carload lots which has been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges: *Provided,* That in the event the amount of paid-in freight is insufficient to guarantee minimum proportional freight rate from the terminal market, there shall be deducted from the applicable terminal rate the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee outbound movement at the minimum proportional freight rate. The warehouse receipts must be accompanied by registered freight bills, or by (1) a statement as indicated below signed by the warehouseman, (2) a certificate of the warehouseman containing such a certification, or (3) such forms as may hereafter be approved by CCC.

FREIGHT CERTIFICATE FOR TERMINALS

The barley represented by attached warehouse receipt No. _____ was received by rail freight from _____ _____
(Town) (County)
_____ point of origin, as evidenced
(State)
by freight bill described as follows:

Way bill, date _____
No. _____
Car No. _____
Initial _____
Freight bill, date _____
No. _____
Carrier _____
Transit weight _____
Freight rate in _____
Amount collected _____
Number unused transit stops _____

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of

paragraph 19 of the Uniform Grain Storage Agreement.

(Warehouseman's signature)

(Address)

(Date of signature)

Barley stored at a designated terminal market (including trucked-in barley) for which neither registered freight bills nor such freight certificates are presented shall have a support rate equal to the county rate for the county in which the barley is stored, except that the support rate for barley stored in Baltimore, Maryland, shall be the support rate established for all counties in Maryland, and the support rate for barley stored in St. Louis, Missouri, shall be the support rate established for St. Louis County, Missouri.

(b) *Support rates at other than designated terminal points.* CCC will determine the support rate for barley in storage on the farm or in country warehouses by deducting from the designated terminal rate an amount equal to (1) the receiving and loading-out charges computed in accordance with the applicable schedule of rates of the Uniform Grain Storage Agreement (CCC Form H, Revised) for the 1949 crop plus (2) the average all-rail interstate freight rate (plus tax) from representative shipping points in the county to the appropriate terminal market.

Upon request by the county committee, the PMA commodity office will determine the rate for barley stored in approved warehouses (other than those situated in the designated terminal markets) which is shipped by rail from country shipping points, by deducting from the appropriate designated terminal market rate an amount equal to the transit balance of the through freight from point of origin for such barley to such terminal market, plus freight tax on such transit balance: *Provided*, That in the case of barley stored at any railroad transit point, taking a penalty by reason of out-of-line movement or for any other reason, to the appropriate designated market, there shall be added to such transit balance an amount equal to any out-of-line costs or other costs incurred in storing barley in such position.

The warehouse receipts, in addition to other required documents, must be accompanied by the original paid freight bills duly registered for transit privileges or by a statement in the following form signed by the warehouseman, or a warehouseman's supplemental certificate containing such information:

FREIGHT CERTIFICATE FOR OTHER THAN TERMINAL POINTS

The barley represented by attached warehouse receipt No. _____ was received by rail freight from _____ _____
(Town) (County)
_____ point of origin, as evidenced
(State)
by freight bill described as follows:

Way bill, date _____
No. _____
Car No. _____
Initial _____
Freight bill, date _____
No. _____
Carrier _____
Transit weight _____
Freight rate in _____
Amount collected _____
Transit balance, if any, of through freight rate to _____ of _____ per 100 pounds.
Number unused transit stops _____

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 19 of the Uniform Grain Storage Agreement.

(Warehouseman's signature)

(Address)

(Date of signature)

(c) *County support rates.* Support rates per bushel of eligible barley for the respective States and counties basis U. S. grade No. 1 barley, free of dockage are listed below:

ALABAMA

County	Rate per bushel for U. S. No. 1
All counties	$1.19

ARKANSAS

County	Rate per bushel for U. S. No. 1
All counties	$1.08

ARIZONA

County	Rate per bushel for U. S. No. 1	County	Rate per bushel for U. S. No. 1
Graham	$0.94	Pinal	$1.15
Greenlee	.95	Yavapai	.98
Pima	1.10	Yuma	1.14

CALIFORNIA

Alameda	$1.26	Placer	$1.20
Alpine	1.06	Riverside	1.22
Amador	1.18	Sacramento	1.23
Butte	1.20	San Benito	1.23
Colusa	1.21	San Bernadino	1.22
Contra Costa	1.26	San Diego	1.21
El Dorado	1.18	San Joaquin	1.24
Fresno	1.20	San Luis Obispo	1.20
Glenn	1.19	San Mateo	1.26
Humboldt	1.09	Santa Barbara	1.21
Imperial	1.18	Santa Clara	1.25
Inyo	1.08	Santa Cruz	1.23
Kern	1.20	Shasta	1.16
Kings	1.20	Siskiyou	1.10
Lassen	1.09	Solano	1.24
Los Angeles	1.25	Stanislaus	1.23
Madera	1.21	Sutter	1.21
Mariposa	1.22	Tehama	1.19
Merced	1.22	Tulare	1.20
Modoc	1.09	Ventura	1.25
Mono	1.03	Yolo	1.22
Monterey	1.22	Yuba	1.22
Napa	1.24		
Nevada	1.18		
Orange	1.24		

COLORADO

Adams	$1.03	Larimer	$1.03
Alamosa	.96	Las Animas	1.03
Arapahoe	1.03	Lincoln	1.03
Archuleta	.92	Mesa	.92
Baca	1.04	Montezuma	.82
Bent	1.04	Montrose	.92
Boulder	1.03	Morgan	1.03
Cheyenne	1.05	Otero	1.03
Conejos	.96	Ouray	.92
Crowley	1.03	Pitkin	.92
Delta	.92	Prowers	1.05
Douglas	1.03	Rio Grande	.96
Elbert	1.03	Routt	.92
El Paso	1.03	Saguache	.96
Fremont	1.02	San Miguel	.89
Huerfano	1.02	Sedgwick	1.05
Jefferson	1.03	Washington	1.04
Kiowa	1.04	Weld	1.03
La Plata	.91		

CONNECTICUT

County	Rate per bushel for U. S. No. 1
All counties	$1.21

DELAWARE

All counties	$1.23

GEORGIA

All counties	$1.19

IDAHO

Ada	$1.05	Gem	$1.06
Adams	1.05	Gooding	1.02
Bannock	.98	Idaho	1.10
Bear Lake	.98	Jefferson	.97
Benewah	1.12	Jerome	1.01
Bingham	.97	Kootenai	1.11
Blaine	1.00	Latah	1.12
Boise	1.05	Lemhi	.98
Bonner	1.10	Lewis	1.10
Bonneville	.97	Lincoln	1.00
Boundary	1.08	Madison	.97
Butte	.97	Minidoka	1.00
Camas	1.00	Nez Perce	1.11
Canyon	1.05	Oneida	.97
Caribou	.99	Owyhee	1.05
Cassia	1.00	Payette	1.07
Clark	.95	Power	1.00
Clearwater	1.11	Shoshone	1.09
Custer	.97	Teton	.97
Elmore	1.02	Twin Falls	.99
Franklin	.98	Valley	1.04
Fremont	.97	Washington	1.07

ILLINOIS

McHenry	$1.19

IOWA

Buena Vista	$1.12	Mills	$1.16
Cherokee	1.13	Poweshiek	1.12
Franklin	1.11	Sac	1.13
Marion	1.11	Worth	1.12
Marshall	1.12		

KANSAS

Barber	$1.09	Lyon	$1.13
Barton	1.09	McPherson	1.10
Bourbon	1.14	Marion	1.10
Brown	1.14	Marshall	1.13
Butler	1.10	Meade	1.07
Cheyenne	1.06	Mitchell	1.10
Clark	1.07	Montgomery	1.13
Clay	1.11	Morton	1.05
Comanche	1.08	Neosho	1.13
Crawford	1.13	Ness	1.08
Decatur	1.08	Norton	1.09
Dickinson	1.10	Osborne	1.10
Edwards	1.09	Ottawa	1.10
Ellis	1.09	Pawnee	1.09
Ellsworth	1.10	Phillipps	1.09
Finney	1.07	Pratt	1.09
Ford	1.08	Rawlins	1.07
Gove	1.08	Reno	1.10
Graham	1.09	Rice	1.10
Grant	1.06	Rooks	1.09
Gray	1.07	Rush	1.09
Greeley	1.06	Russell	1.09
Hamilton	1.06	Saline	1.10
Harper	1.10	Scott	1.07
Harvey	1.10	Seward	1.06
Haskell	1.07	Sheridan	1.08
Hodgeman	1.08	Sherman	1.06
Jefferson	1.15	Smith	1.10
Jewell	1.10	Stafford	1.09
Johnson	1.16	Stanton	1.06
Kearny	1.06	Stevens	1.06
Kingman	1.10	Sumner	1.10
Kiowa	1.09	Thomas	1.07
Lane	1.08	Trego	1.08
Lincoln	1.10	Wallace	1.06
Logan	1.07	Wichita	1.06

KENTUCKY

All counties	$1.17

LOUISIANA

All counties	$1.08

MAINE

All counties	$1.20

MARYLAND

County	Rate per bushel for U. S. No. 1
All counties	$1.26

MASSACHUSETTS

All counties	$1.21

MICHIGAN

County	Rate per bushel for U. S. No. 1	County	Rate per bushel for U. S. No. 1
Alcona	$1.10	Luce	$1.06
Alpena	1.10	Machinac	1.06
Arenac	1.11	Monroe	1.18
Bay	1.14	Montcalm	1.13
Chippewa	1.06	Montmorency	1.09
Clinton	1.14	Ottawa	1.14
Gladwin	1.11	Presque Isle	1.09
Huron	1.14	Saginaw	1.14
Ionia	1.14	St. Clair	1.17
Kent	1.14	Van Buren	1.14
Lapeer	1.16		

MINNESOTA

Aitkin	$1.15	Mille Lacs	$1.14
Anoka	1.17	Morrison	1.14
Becker	1.11	Mower	1.13
Beltrami	1.11	Murray	1.11
Benton	1.14	Nicollet	1.15
Big Stone	1.12	Nobles	1.11
Blue Earth	1.14	Norman	1.10
Brown	1.14	Olmsted	1.14
Carver	1.17	Otter Tail	1.12
Chippewa	1.13	Pennington	1.10
Clay	1.11	Pine	1.15
Clearwater	1.11	Pipestone	1,12
Cottonwood	1.13	Polk	1.10
Dakota	1.17	Pope	1.13
Dodge	1.14	Red Lake	1.10
Douglas	1.13	Redwood	1.13
Faribault	1.13	Renville	1.14
Freeborn	1.14	Rice	1.15
Goodhue	1.15	Roseau	1.09
Grant	1.12	St. Louis	1.14
Hennepin	1.17	Scott	1.16
Hubbard	1.11	Sherburne	1.15
Itasca	1.12	Sibley	1.15
Jackson	1.12	Stearns	1.14
Kanabec	1.15	Steele	1.14
Kandiyohi	1.14	Stevens	1.13
Kittson	1.08	Swift	1.13
Koochiching	1.09	Todd	1.13
Lac qui Parle	1.12	Traverse	1.12
Lake	1.16	Wabasha	1.13
Lake of the Woods	1.10	Wadena	1.13
Le Sueur	1.15	Waseca	1.14
Lincoln	1.12	Washington	1.17
Lyon	1.12	Watonwan	1.13
McLeod	1.15	Wilkin	1.11
Mahnomen	1.10	Winona	1.14
Marshall	1.09	Wright	1.16
Martin	1.13	Yellow Medicine	1.13
Meeker	1.15		

MISSISSIPPI

All counties	$1.19

MISSOURI

Bates	$1.15	Lafayette	$1.15
Cass	1.15	Madison	1.19
Cedar	1.13	Saline	1.14
Christian	1.12	St. Louis	1.21
Greene	1.12		

MONTANA

Beaverhead	$0.94	Flathead	$1.03
Big Horn	.94	Gallatin	1.00
Blaine	.93	Glacier	1.01
Broadwater	1.00	Golden Valley	1.00
Carbon	.91	Granite	1.01
Cascade	1.00	Hill	1.00
Chouteau	1.00	Jefferson	1.00
Custer	.98	Judith Basin	1.00
Daniels	.96	Lake	1.03
Dawson	.99	Lewis and Clark	1.00
Deer Lodge	1.00	Liberty	1.00
Fallon	.99	Lincoln	$1.05
Fergus	1.00	McCone	.98
Madison	1.00	Meagher	1.00
Mineral	1.04	Missoula	1.02
Musselshell	.93	Park	1.00
Petroleum	1.00	Phillips	.95
Pondera	1.00	Powell	1.01
Prairie	.98	Ravalli	1.01
Richland	.99	Roosevelt	$0.99
Rosebud	.95	Sanders	1.05
Sheridan	.98	Silver Bow	1.00
Stillwater	1.00	Sweet Grass	1.00
Teton	1.00	Toole	1.01
Treasure	.94	Valley	.96
Wheatland	1.00	Wibaux	.99
Yellowstone	.93		

NEBRASKA

Adams	$1.12	Jefferson	$1.13
Antelope	1.12	Johnson	1.14
Arthur	1.06	Kearney	1.11
Banner	1.05	Keith	1.06
Blaine	1.09	Keya Paha	1.09
Boone	1.13	Kimball	1.03
Box Butte	1.06	Knox	1.11
Boyd	1.10	Lancaster	1.16
Brown	1.09	Lincoln	1.08
Buffalo	1.12	Logan	1.09
Burt	1.15	Loup	1.11
Butler	1.15	McPherson	1.08
Cass	1.16	Madison	1.13
Cedar	1.12	Merrick	1.13
Chase	1.06	Morrill	1.05
Cherry	1.08	Nance	1.13
Cheyenne	1.04	Nemaha	1.14
Clay	1.12	Nuckolls	1.12
Colfax	1.15	Otoe	1.15
Cuming	1.15	Pawnee	1.13
Custer	1.10	Perkins	1.07
Dakota	1.14	Phelps	1.10
Dawes	1.04	Pierce	1.13
Dawson	1.10	Platte	1.14
Deuel	1.08	Polk	1.14
Dixon	1.13	Redwillow	1.08
Dodge	1.16	Richardson	1.14
Douglas	1.16	Rock	1.10
Dundy	1.06	Saline	1.14
Fillmore	1.13	Sarpy	1.17
Franklin	1.11	Saunders	1.16
Frontier	1.09	Scotts Bluff	1.04
Furnas	1.09	Seward	1.15
Gage	1.14	Sheridan	1.06
Garden	1.06	Sherman	1.12
Garfield	1.11	Sioux	1.04
Gosper	1.10	Stanton	1.14
Grant	1.07	Thayer	1.13
Greeley	1.12	Thomas	1.08
Hall	1.12	Thurston	1.15
Hamilton	1.13	Valley	1.11
Harlan	1.10	Washington	1.16
Hayes	1.07	Wayne	1.12
Hitchcock	1.07	Webster	1.11
Holt	1.11	Wheeler	1.12
Hooker	1.08	York	1.14
Howard	1.12		

NEVADA

Churchill	$1.09	Lyon	$0.89
Clark	1.00	Mineral	.89
Douglas	1.06	Nye	.89
Elko	.99	Ormsby	1.06
Esmeralda	.89	Pershing	1.09
Eureka	.99	Storey	1.11
Humboldt	1.05	Washoe	1.10
Lander	.99	White Pine	.75
Lincoln	.99		

NEW HAMPSHIRE

All counties	$1.21

NEW JERSEY

All counties	$1.24

NEW YORK

All counties	$1.22

NEW MEXICO

County	Rate per bushel for U. S. No. 1	County	Rate per bushel for U. S. No. 1
Bernalillo	$0.85	Colfax	$0.98
Chaves	.92	Curry	.94
De Baca	$0.91	Roosevelt	$0.93
Eddy	.91	Sandoval	.85
Grant	.86	San Juan	.80
Harding	.93	San Miguel	.90
Hidalgo	.90	Santa Fe	.88
Lea	.88	Socorro	.85
Luna	.88	Torrance	.88
McKinley	.90	Union	.93
Mora	.94	Valencia	.84
Quay	.94		

NORTH CAROLINA

All counties	$1.19

NORTH DAKOTA

Adams	$1.02	McLean	$1.04
Barnes	1.08	Mercer	1.03
Benson	1.06	Morton	1.04
Billings	1.02	Mountrail	1.03
Bottineau	1.03	Nelson	1.07
Bowman	1.02	Oliver	1.04
Burke	1.03	Pembina	1.07
Burleigh	1.06	Pierce	1.05
Cass	1.09	Ramsey	1.06
Cavalier	1.06	Ransom	1.09
Dickey	1.08	Renville	1.03
Divide	1.02	Richland	1.10
Dunn	1.02	Rolette	1.05
Eddy	1.07	Sargent	1.09
Emmons	1.05	Sheridan	1.06
Foster	1.07	Sioux	1.04
Golden Valley	1.00	Slope	1.02
Grand Forks	1.08	Stark	1.03
Grant	1.03	Steel	1.09
Griggs	1.08	Stutsman	1.08
Hettinger	1.03	Towner	1.06
Kidder	1.06	Traill	1.09
La Moure	1.07	Walsh	1.07
Logan	1.06	Ward	1.03
McHenry	1.05	Wells	1.06
McIntosh	1.06	Williams	1.02
McKenzie	1.00		

OHIO

Huron	$1.19	Lucas	$1.18

OKLAHOMA

Adair	$1.12	Kay	$1.09
Alfalfa	1.08	Kingfisher	1.08
Atoka	1.10	Kiowa	1.08
Beaver	1.04	Lincoln	1.08
Beckham	1.07	Logan	1.08
Blaine	1.08	Love	1.08
Bryan	1.09	McClain	1.08
Caddo	1.08	Marshall	1.08
Canadian	1.08	Murray	1.08
Carter	1.08	Noble	1.09
Cherokee	1.11	Oklahoma	1.09
Choctaw	1.10	Osage	1.10
Cimarron	1.02	Ottawa	1.12
Cleveland	1.08	Pawnee	1.09
Coal	1.10	Payne	1.08
Comanche	1.08	Pittsburg	1.11
Cotton	1.08	Pontotoc	1.09
Craig	1.12	Pottawatomie	1.08
Creek	1.09	Pushmataha	1.11
Custer	1.08	Roger Mills	1.07
Delaware	1.12	Rogers	1.11
Dewey	1.08	Seminole	1.09
Ellis	1.06	Sequoyah	1.12
Garfield	1.08	Stephens	1.08
Garvin	1.08	Texas	1.04
Grady	1.08	Tillman	1.08
Grant	1.09	Tulsa	1.11
Greer	1.08	Wagoner	1.10
Harmon	1.07	Washington	1.12
Harper	1.06	Washita	1.08
Haskell	1.12	Woods	1.08
Hughes	1.10	Woodward	1.07
Jackson	1.08		
Jefferson	1.08		

OREGON

Baker	$1.10	Crook	$1.17
Benton	1.22	Deschutes	1.17
Clackamas	1.24	Douglas	1.16

OREGON—Continued

County	Rate per bushel for U. S. No. 1	County	Rate per bushel for U. S. No. 1
Gilliam	$1.21	Marion	$1.23
Harney	1.02	Morrow	1.20
Jackson	1.12	Polk	1.22
Jefferson	1.18	Sherman	1.22
Josephine	1.13	Umatilla	1.16
Klamath	1.12	Union	1.11
Lake	1.05	Wallowa	1.10
Lane	1.20	Wasco	1.23
Linn	1.21	Washington	1.24
Malhour	1.06	Yamhill	1.24

PENNSYLVANIA

All counties	$1.24

SOUTH CAROLINA

All counties	$1.19

SOUTH DAKOTA

County		County	
Aurora	$1.09	Jackson	$1.03
Beadle	1.09	Jerauld	1.09
Bon Homme	1.11	Jones	1.05
Brookings	1.10	Kingsbury	1.10
Brown	1.09	Lake	1.10
Brule	1.09	Lawrence	1.01
Buffalo	1.09	Lincoln	1.12
Butte	1.01	Lyman	1.07
Campbell	1.06	McCook	1.11
Charles Mix	1.10	McPherson	1.07
Clark	1.10	Marshall	1.09
Clay	1.13	Meade	1.01
Codington	1.10	Mellette	1.06
Corson	1.04	Miner	1.10
Custer	1.02	Minnehaha	1.11
Davison	1.10	Moody	1.10
Day	1.09	Pennington	1.02
Deuel	1.11	Perkins	1.02
Dewey	1.03	Potter	1.06
Douglas	1.09	Roberts	1.10
Edmunds	1.08	Sanborn	1.09
Fall River	1.03	Shannon	1.05
Faulk	1.08	Spink	1.09
Grant	1.10	Stanley	1.04
Gregory	1.10	Sully	1.06
Haakon	1.02	Todd	1.09
Hamlin	1.10	Tripp	1.08
Hand	1.08	Turner	1.12
Hanson	1.10	Union	1.13
Harding	1.02	Walworth	1.06
Hughes	1.06	Washabaugh	1.03
Hutchinson	1.11	Yankton	1.12
Hyde	1.07	Ziebach	1.01

TENNESSEE

All counties	$1.19

TEXAS

County		County	
Bailey	$1.03	Jack	$1.07
Brazos	1.06	Lubbock	1.03
Carson	1.05	Lynn	1.03
Childress	1.05	Moore	1.03
Collingsworth	1.05	Navarro	1.08
Coryell	1.06	Nolan	1.05
Dallam	1.02	Ochiltree	1.04
Dallas	1.08	Parmer	1.03
Deaf Smith	1.03	Pecos	.98
Erath	1.07	Potter	1.04
Gray	1.05	Randall	1.04
Hansford	1.03	Reeves	.99
Hartley	1.03	Roberts	1.05
Hemphill	1.05	Shackelford	1.05
Hill	1.08	Sherman	1.03
Hockley	1.03	Swisher	1.03
Hutchinson	1.03	Wheeler	1.05

UTAH

County		County	
Beaver	$1.02	Kane	$0.94
Box Elder	.96	Millard	.99
Cashe	.96	Morgan	.97
Carbon	.95	Piute	.94
Daggett	.92	Rich	.92
Davis	.97	Salt Lake	.97
Duchesne	.96	San Juan	.92
Emery	.94	Sanpete	.96
Garfield	.94	Sevier	.94
Grand	.92	Summit	.97
Iron	1.01	Tooele	.97
Juab	.97	Uintah	.96

UTAH—Continued

County	Rate per bushel for U. S. No. 1	County	Rate per bushel for U. S. No. 1
Utah	$0.97	Wayne	$0.94
Wasatch	.96	Weber	.97
Washington	.99		

VERMONT

All counties	$1.21

VIRGINIA

All counties	$1.24

WASHINGTON

County		County	
Asotin	$1.13	Klickitat	$1.22
Benton	1.17	Lewis	1.21
Chelan	1.12	Lincoln	1.12
Columbia	1.15	Okanogan	1.09
Douglas	1.10	Spokane	1.12
Ferry	1.08	Stevens	1.11
Franklin	1.14	Walla Walla	1.16
Garfield	1.15	Whitman	1.12
Grant	1.12	Yakima	1.16
Kittitas	1.16		

WEST VIRGINIA

All counties	$1.21

WISCONSIN

County		County	
Adams	$1.15	Marathon	$1.13
Ashland	1.12	Marinette	1.13
Barron	1.13	Marquette	1.15
Bayfield	1.13	Milwaukee	1.21
Brown	1.11	Monroe	1.14
Buffalo	1.13	Oconto	1.14
Burnett	1.14	Oneida	1.12
Calumet	1.16	Outagamie	1.15
Chippewa	1.14	Ozaukee	1.17
Clark	1.12	Pepin	1.14
Columbia	1.15	Pierce	1.16
Crawford	1.14	Polk	1.15
Dane	1.17	Portage	1.14
Dodge	1.16	Price	1.12
Door	1.13	Racine	1.21
Douglas	1.17	Richland	1.14
Dunn	1.14	Rock	1.17
Eau Claire	1.14	Rusk	1.13
Florence	1.07	St. Croix	1.16
Fond du Lac	1.16	Sauk	1.15
Forest	1.12	Sawyer	1.13
Grant	1.14	Shawano	1.09
Green	1.17	Sheboygan	1.16
Green Lake	1.16	Taylor	1.12
Iowa	1.15	Trempealeau	1.13
Iron	1.10	Vernon	1.14
Jackson	1.13	Vilas	1.10
Jefferson	1.17	Walworth	1.18
Juneau	1.15	Washburn	1.14
Kenosha	1.21	Washington	1.17
Kewaunee	1.14	Waukesha	1.17
La Crosse	1.14	Waupaca	1.15
Lafayette	1.15	Waushara	1.15
Langlade	1.13	Winnebago	1.16
Lincoln	1.12	Wood	1.14
Manitowoc	1.16		

WYOMING

County		County	
Albany	$0.94	Natrona	$0.95
Big Horn	.90	Niobrara	1.00
Campbell	.98	Park	.90
Carbon	.92	Platte	1.01
Converse	.98	Sheridan	.96
Crook	1.00	Sublette	.92
Fremont	.90	Sweetwater	.92
Goshen	1.03	Teton	.90
Hot Springs	.90	Uinta	.94
Johnson	.97	Washakie	.90
Laramie	1.03	Weston	1.01
Lincoln	.92		

In the case of loans, whether farm-storage or country warehouse-storage, the support rate will be the rate established for the county in which the barley is stored.

(d) *Special support rate.* A support rate of $1.00 per bushel for barley grading U. S. No. 1 Garlicky with the applicable discounts for other eligible numerical grades as set forth below in paragraph (f) of this section, for barley in warehouse-storage (including terminal or country storage) and farm-storage, is established for the following States:

Delaware, Kentucky, Maryland, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia and West Virginia.

(e) *Warehouse charges.* The warehouse receipt and the barley represented thereby may be subject to liens for warehouse charges only from May 15, 1949, or the date of the warehouse receipt, whichever is later.

A deduction of 10 cents per bushel will be made from the support rate when barley is placed under a warehouse-storage loan or when stored in an approved warehouse and delivered to CCC under a purchase agreement, unless evidence is submitted with the warehouse receipt showing that all warehouse charges, except receiving charges, have been prepaid through April 30, 1950.

(f) *Variations for grades.* A support rate for barley which grades No. 2 shall be discounted 2 cents per bushel; No. 3, 5 cents per bushel; No. 4, 8 cents per bushel; and No. 5, 15 cents per bushel. In addition, a discount of 2 cents per bushel shall apply to "mixed" barley.

§ 602.125 *Settlement* — (a) *Loans.* Settlement on barley delivered to CCC from farm-storage under the loan program will be made at the support rate established in § 602.124, for the county where the barley was stored, for the grade and/or quality for the total quantity delivered.

Irrespective of the provisions of the mortgage supplement, if the barley when delivered is of a grade and/or quality for which no support rate has been established, the settlement value shall be the support rate established for the grade and/or quality of the barley placed under loan, less the difference, if any, at the time of delivery, between the market price for the grade and/or quality of the barley placed under loan and the market price of the barley delivered, as determined by CCC.

(b) *Purchase agreement.* Barley delivered to CCC under a purchase agreement must meet the requirements of barley eligible for loan. The purchase rate per bushel of eligible barley will be the support rate established for the approved point of delivery. In the case of barley stored in an eligible warehouse delivered to CCC under a purchase agreement, evidence must be submitted with the warehouse receipt that all warehouse charges, except receiving charges, have been prepaid through April 30, 1950, or a deduction of 10 cents per bushel will be made from the applicable purchase price and CCC will assume the approved warehouse charges on the barley: *Provided,* That, CCC will not assume any charges in excess of those provided under the Uniform Grain Storage Agreement (CCC Form H, Revised) for the 1949 crop.

(c) *Track-loading.* Track-loading payments of 2 cents per bushel will be made on barley delivered to CCC on track at a country point.

(d) *Storage allowance.* There shall be no storage allowance on barley placed

under a loan or delivered to CCC under a purchase agreement.

(Sec. 5 (a), Pub. Law, 806, 80th Cong., sec. 1 (d), 202 (a), Pub. Law 897, 80th Cong.; 62 Stat. 1072, 1248, 1252)

Issued this 14th day of July 1949.

[SEAL] HAROLD K. HILL,
Acting Manager,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President, Commodity Credit Corporation.

[F. R. Doc. 49-5944; Filed, July 19, 1949; 9:07 a. m.]

PART 664—TOBACCO

SUBPART—1949 TOBACCO LOAN PROGRAM

FLUE-CURED TOBACCO

Set forth below is schedule of advance rates, by grades, for the 1949 crop of types 11–14, flue-cured tobacco, under the tobacco loan program formulated by Commodity Credit Corporation and Production and Marketing Administration, published July 7, 1949 (14 F. R. 3732).

§ 664.18 *1949 crop; flue-cured tobacco, Types 11–14, Advance Schedule.*[1]

[Dollars per 100 pounds, farm sales weight]

Grade:	Advance rate	Grade:	Advance rate
A1L	70.12	B5LV	34.12
A2L	68.12	B3FV	42.12
A3L	66.12	B4FV	34.12
A1F	68.12	B5FV	26.12
A2F	66.12	B3FM	38.12
A3F	60.12	B4FM	32.12
A1R	62.12	B5FM	24.12
A2R	56.12	B4FK	28.12
A3R	50.12	B5FK	22.12
B1L	62.12	B4GL	34.12
B2L	58.12	B5GL	26.12
B3L	51.12	B6GL	20.12
B4L	47.12	B4GF	28.12
B5L	40.12	B5GF	22.12
B6L	30.12	B6GF	16.12
B1F	58.12	B4GR	18.12
B2F	53.12	B5GR	13.12
B3F	47.12	B6GR	10.12
B4F	41.12	H1L	64.12
B5F	30.12	H2L	62.12
B6F	22.12	H3L	60.12
B1R	50.12	H4L	52.12
B2R	42.12	H5L	48.12
B3R	34.12	H6L	38.12
B4R	26.12	H1F	62.12
B5R	19.12	H2F	60.12
B6R	14.12	H3F	54.12
B3D	29.12	H4F	47.12
B4D	21.12	H5F	40.12
B5D	14.12	H6F	30.12
B6D	10.12	H1R	52.12
B3LV	48.12	H2R	48.12
B4LV	42.12	H3R	42.12

[1] The advance rates quoted above are applicable to tied flue-cured tobacco. Rates for untied flue-cured tobacco are four dollars ($4.00) per hundred pounds less for each grade. The Cooperative Association through which the loans are made is authorized to deduct from the amount paid to the grower 12 cents per hundred pounds to apply against the overhead costs to the Association of the loan operation. Tobacco can be placed under loan only by the original producer and at these rates only if produced on a cooperating farm. Tobacco graded "W" (unsafe order), "U" (unsound), "DAM" (damaged), N2L, N2R, or N2G will not be accepted.

[Dollars per 100 pounds, farm sales weight]

Grade:	Advance rate	Grade:	Advance rate
H4R	36.12	X5F	26.12
H5R	30.12	X3R	34.12
H6R	22.12	X4R	26.12
C1L	66.12	X5R	18.12
C2L	66.12	X3LV	44.12
C3L	64.12	X4LV	36.12
C4L	62.12	X3FV	40.12
C5L	56.12	X4FV	32.12
C1F	66.12	X3FM	38.12
C2F	66.12	X4FM	30.12
C3F	64.12	X5FM	22.12
C4F	60.12	X3G	26.12
C5F	54.12	X4G	22.12
C4LV	56.12	X5G	16.12
C5LV	50.12	P3L	48.12
C4FM	46.12	P4L	36.12
C5FM	40.12	P5L	22.12
X1L	64.12	P3F	44.12
X2L	62.12	P4F	30.12
X3L	56.12	P5F	18.12
X4L	45.12	P3G	24.12
X5L	31.12	P4G	18.12
X1F	62.12	P5G	14.12
X2F	60.12	N1L	9.12
X3F	53.12	N1R	9.12
X4F	40.12	N1G	9.12

(Sec. 4 (d), Pub. Law 806, 80th Cong. Interpret or apply secs. 4 (g), (l), 5 (a), Pub. Law 806, 80th Cong., sec. 1., Pub. Law 897, 80th Cong.)

Issued this 14th day of July 1949.

[SEAL] ELMER F. KRUSE,
Manager,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President, Commodity Credit Corporation.

[F. R. Doc. 49-5948; Filed, July 19, 1949; 9:06 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 29—TOBACCO INSPECTION

ORDER DESIGNATING DUNN, N. C., TOBACCO AUCTION MARKET

Upon a referendum conducted, pursuant to prior notice (14 F. R. 3499), during the period June 30, 1949–July 2, 1949, both dates inclusive, among tobacco growers, who, during the 1948 marketing season, sold tobacco at auction on the market at Dunn, North Carolina, it is found that more than two-thirds of the growers voting in such referendum favor the designation of such market under section 5 of the Tobacco Inspection Act (7 U. S. C. 511 et seq.) for the mandatory inspection and certification of tobacco sold on such market. Therefore, pursuant to the authority vested in the Secretary of Agriculture, and for the purposes of said act, the orders of designation of tobacco markets (7 CFR 29.601) are amended by adding thereto at the end thereof the following paragraph (gg):

§ 29.601 *Designation of tobacco markets.* * * *

(gg) *The tobacco market at Dunn, N. C.* Effective 30 days after July 20, 1949, no tobacco of any type shall be offered for sale at auction on the market at Dunn, North Carolina, until such tobacco shall have been inspected and certified by an authorized representative of the U. S. Department of Agriculture according to standards established under the Tobacco Inspection Act (7 U. S. C. 511 et seq.): *Provided, however,* That such requirement of inspection and certification may be suspended at any time when it is found impracticable to provide inspection or when the quantity of tobacco available for inspection is not sufficient to justify the cost of such service. No fee or charge shall be imposed or collected for the inspection and certification of tobacco sold or offered for sale at auction on the market designated above.

(49 Stat. 731; 7 U. S. C. 511 et seq.)

Issued this 15th day of July 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-5943; Filed, July 19, 1949; 9:06 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 927—MILK IN NEW YORK METROPOLITAN MARKETING AREA

MISCELLANEOUS AMENDMENTS

Pursuant to the provisions of § 927.4 (b) of Order No. 27, as amended (7 CFR, 927.1 et seq., 14 F. R. 1466, 3443), regulating the handling of milk in the New York metropolitan milk marketing area and of the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. 1001–1011), a public meeting was held at New York, New York, on June 3, 1949, to consider proposals for the amendment of the rules and regulations heretofore issued (7 CFR, 927.101 et seq., 14 F. R. 2848) pursuant to said order. Notice of said public meeting was issued on May 25, 1949 and published in the FEDERAL REGISTER on June 2, 1949 (14 F. R. 2902).

After due consideration of the data, views, and arguments presented by interested parties at such public meeting, the rules and regulations as heretofore amended are hereby further amended, subject to the approval of the Secretary of Agriculture,[1] as follows:

1. Amend § 927.101 as follows:

A. In paragraph (j) add the following proviso: "*Provided,* That, for the purposes only of accounting for the butterfat in these rules and regulations such terms shall also mean nonpooled cream assigned to cream reported pursuant to §927.6 (c) (1) of the orders, and which meets the requirements of § 927.4 (c) (5) (ii) of the orders as a basis of classification for pooled milk."

B. Add new definition as follows:

(aa) "Reconstituted cream shipped to, received in, or distributed in the marketing area" means cream classified as Class

[1] See F. R. Doc. 49-5946, *infra.*

II to which frozen cream has been assigned pursuant to § 927.102.

2. Amend § 927.102 as follows:

A. Delete paragraphs (n) (1) and (n) (2) and substitute therefor the following:

(n) Deduct butterfat in opening inventories or received in the form of plain condensed milk from butterfat leaving the plant or in the closing inventories at the plant in the form of plain condensed milk. Deduct any remaining butterfat in opening inventories or received in the form of plain condensed milk pro rata from butterfat on hand at or leaving the plant in the form of frozen desserts, homogenized mixtures, evaporated milk, sweetened condensed milk, milk powder, other concentrated milk products, or candy products. Deduct remaining butterfat in opening inventories or received in the form of plain condensed milk from butterfat in products in which the handler claims to have used such butterfat. If any butterfat in opening inventories or received in the form of plain condensed milk remains, it shall be deducted from plant loss.

B. In paragraph (ff) add the following:

(16) Cottage cheese with cream added, 2.5 percent.

3. Amend § 927.107 as follows:

Add new paragraphs (d), (e) and (f) as follows:

(d) The total butterfat in frozen cream separated at a plant in any one month will be assumed to be pooled and non-pooled butterfat in the same proportion as pooled and non-pooled butterfat assigned pursuant to § 927.103 to total Class III at the plant in the month when the cream is separated.

(e) Butterfat in frozen cream assigned to cream (either sweet or sour), classified as Class II, will be considered to be pooled butterfat to the extent available.

(f) Butterfat in frozen cream assigned to butter in any month for which storage cream payments may be applicable pursuant to § 927.9 (g) (2) of the orders will be considered to be pooled and non-pooled butterfat in the same proportion as pooled and non-pooled butterfat in frozen cream, for the month in which it was separated, remaining after specific assignments of pooled and non-pooled butterfat to uses in previous months and assignments in the same month pursuant to paragraph (e) of this section.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued this 30th day of June 1949.

C. J. BLANFORD,
Market Administrator, New York Metropolitan Marketing Area.

[F. R. Doc. 49-5963; Filed, July 19, 1949; 9:30 a. m.]

PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

APPROVAL OF AMENDMENT

Pursuant to the provisions of § 927.4 (b) of Order No. 27, as amended (7 CFR, 927.1 et seq., 14 F. R. 1466, 3443), regulating the handling of milk in the New York metropolitan milk marketing area, the tentative amendment[1] issued on June 30, 1949, by the market administrator of said Order No. 27, as amended, to the rules and regulations heretofore issued (7 CFR, 927.101 et seq., 14 F. R. 2848) pursuant to the provisions of said Order No. 27, as amended, is hereby approved and shall be effective on and after the first day of August 1949.

Order No. 27, as amended, requires that such rules and regulations, and amendments thereto, become effective on the first day of the month following their approval by the Secretary of Agriculture. The changes effected by this amendment to the rules and regulations do not require substantial or extensive preparation by handlers prior to its effective date. Furthermore, the said tentative amendment, as issued by the market administrator on June 30, 1949, was sent, on or about that date, to all handlers operating pool plants. In these circumstances, the time intervening between the date of approval of the tentative amendment and its effective date affords handlers a reasonable time to prepare for its effective date. It is, therefore, found and determined that August 1, 1949, herein fixed as the effective date for the said amendment, is reasonable and proper in the circumstances and that to defer the effective date of the said amendment to a date 30 days or more after publication in the FEDERAL REGISTER would be impracticable, unnecessary, and contrary to the public interest.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.; 7 CFR, 927.1 et seq., 14 F. R. 1466, 3443)

Done at Washington, D. C., this 14th day of July 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-5946; Filed, July 19, 1949; 9:30 a. m.]

[1] See F. R. Doc. 49-5963, *supra*.

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

MISCELLANEOUS AMENDMENTS

Notice was published in the June 23, 1949, daily issue of the FEDERAL REGISTER (14 F. R. 3415) that consideration was being given to the proposed revision of the rules and regulations (7 CFR 936.100 et seq.) that are effective under the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Control Committee (established pursuant to said amended marketing agreement and order as the agency to administer the provisions thereof), it is hereby found and determined that the revision, as hereinafter set forth, of said rules and regulations is in accordance with the provisions of said amended marketing agreement and order and will tend to effectuate the declared policy of the act; and the revision of said rules and regulations is hereby approved as follows:

1. In § 900.101 *Communications*, delete the street address "1910 Eye Street" and insert, in lieu thereof, "1515 Ninth Street."

2. In § 936.102 (a) *Nomination of shipper members for the Control Committee*, delete the word "February" wherever it appears and insert, in lieu thereof, "January."

3. Revise § 936.104 *Regulation by grades and sizes*, in the following respects:

a. Revise the section heading to read: *"Regulation by grades; sizes; minimum standards of quality and maturity."*

b. Revise the provisions of paragraph (a) (1) (iv) to read as follows:

(iv) The grade or size regulation of the minimum standards of quality and maturity from which exemption is requested;

c. Revise the provisions of paragraph (a) (1) (viii) to read as follows:

(viii) The reasons why the quantity of fruit for which exemption is requested does not meet the requirements of the grades or sizes or minimum standards of quality and maturity of fruit permitted to be shipped under the particular regulation.

d. Revise the provisions of paragraph (a) (4) to read as follows:

(4) Each shipper handling fruit pursuant to an exemption certificate shall keep an accurate record of all shipments of such fruit. Such shipper, after having shipped as much fruit as authorized by an exemption certificate, shall promptly furnish, upon demand of the appropriate commodity committee or its duly authorized representative, an accurate record of each such shipment, showing the following information:

(i) Exemption certificate number;
(ii) Name of grower applicant;
(iii) Name of shipper;
(iv) Shipping point;
(v) District where fruit was produced;
(vi) Variety of fruit;
(vii) Number of packages of grower applicant's fruit included in the particular shipment which were handled other than pursuant to the exemption certificate;
(viii) Number of packages of grower applicant's fruit included in the particular shipment which were handled pursuant to the exemption certificate;
(ix) Date fruit was packed;
(x) Date fruit was shipped; and
(xi) Car or truck number or numbers in which fruit was loaded and shipped.

4. Revise paragraph (a) (2) of § 936.105 *Regulation of daily shipments*, to read "the railroad yards of the Western Pacific Railroad in the cities of Sacramento, Marysville, and Portola;"

5. In § 936.109 *Reports*, delete the words "confidential employee" wherever they appear and insert, in lieu thereof, "manager".

It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective date hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that (1) shipments of fresh Bartlett pears, plums, and Elberta peaches have already commenced; (2) shipments of said fruits are currently regulated pursuant to § 936.4 of said amended marketing agreement and order; (3) it is essential that the aforesaid revision be issued immediately so as to enable the Control Committee effectively to perform its duties in accordance with said amended marketing agreement and order; (4) handlers have been notified of the adoption, and recommendation to the Secretary, by said committee of the aforesaid revision; and (5) the changes effected by the aforesaid revision do not require any special preparation on the part of handlers.

(48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq.; 7 CFR Part 936; 14 F. R. 2684)

Issued this 15th day of July 1949 to be effective upon publication in the FEDERAL REGISTER.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-5942; Filed, July 19, 1949; 9:06 a. m.]

[Cauliflower Order 5]

PART 910—FRESH PEAS AND CAULIFLOWER GROWN IN THE COUNTIES OF ALAMOSA, RIO GRANDE, CONEJOS, COSTILLA, AND SAGUACHE IN COLORADO

REGULATION BY GRADES AND SIZES

§ 910.310 *Fresh Cauliflower Order 5*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and order No. 10, as amended (7 CFR Part 910), regulating the handling of fresh peas and cauliflower grown in the Counties of Alamosa, Rio Grande, Conejos, Costilla, and Saguache in the State of Colorado, effective under the applicable provisions of the Agricultural Marketing Act of 1937, as amended, and upon the basis of the recommendations of the Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the grade and size limitations, as hereinafter provided, with respect to the handling of fresh cauliflower, will tend to effectuate the declared policy of the act.

(2) It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat., 237), in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act, is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective date; and good cause exists for making the provisions hereof effective not later than July 21, 1949. A reasonable determination as to the supply of, and the demand for, such cauliflower must await the development of the crop; the supply and quality of fresh cauliflower is subject to change by weather conditions and adequate information thereon as the basis for recommendation as to the need for, and the extent of, regulation of shipments of such cauliflower was therefore not available until a short time before the beginning of harvest; such recommendation was made by the Administrative Committee in a meeting on July 12, 1949, after consideration of all available information relative to the supply and demand conditions for such cauliflower, and submitted to the Department; shipments of the current crop of such cauliflower are expected to begin on or about July 21, 1949, and this section should be applicable to all shipments of such cauliflower in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., m. s. t., July 21, 1949, and ending at 12:01 a. m., m. s. t., August 1, 1949, no handler shall handle:

(i) Any cauliflower that does not grade U. S. No. 1: *Provided*, That such cauliflower may possess full jacket leaves;

(ii) Any such cauliflower which is of a size smaller than four inches in diameter or larger than seven inches in diameter and, when well trimmed, will pack fairly tight in a crate not less than 11 nor more than 14 such heads: *Provided*, That if such cauliflower is without jacket leaves, not less than 24 nor more than 32 such heads will pack such crate fairly tight; or

(iii) Any crate of such cauliflower unless the heads in such crate are fairly uniform in size.

(2) During the period beginning 12:01 a. m., m. s. t., August 1, 1949, and ending 12:01 a. m., m. s. t., October 16, 1949, no handler shall handle:

(i) Any cauliflower that does not grade U. S. No. 1: *Provided*, That such cauliflower may possess full jacket leaves;

(ii) Any such cauliflower which is of a size smaller than four inches in diameter or larger than seven inches in diameter and, when well trimmed, will pack fairly tight in a crate not less than 11 nor more than 12 such heads: *Provided*, That if such cauliflower is without jacket leaves, not less than 24 nor more than 32 such heads will pack such crate fairly tight; or

(iii) Any crate of such cauliflower unless the heads in such crate are fairly uniform in size.

(3) As used in this section:

(i) The term "fairly uniform" means that the diameter of the largest head is not more than two (2) inches greater than that of the smallest head;

(ii) The term "fairly tight" means that the cauliflower heads packed in the crate have no more than a slight movement in such crate, but not so much movement that there will be any injury to the heads under ordinary handling conditions, and will not be so loose as to permit the addition of another head;

(iii) The term "crate" means a crate having inside dimensions of 8½ inches by 17½ inches by 21⅝ inches;

(iv) The terms "U. S. No. 1," "full jacket leaves," "diameter," "well trimmed," and "size" shall each have the same meaning as when used in the United States Standards for Cauliflower (7 CFR 51.171); and

(v) The terms "cauliflower," "handler," and "handle" shall each have the same meaning as when used in the amended marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. and Sup. I 601 et seq.; 7 CFR Part 910)

Done at Washington, D. C., this 19th day of July 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-6005; Filed, July 19, 1949; 12:03 p. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[Fourth General Revision of Export Regs., Amdt. 22]

PART 371—GENERAL LICENSES

GENERAL LICENSE GRO

Section 371.8 *General license "GRO"* is amended in the following particulars:

Paragraph (b), the list of specified commodities exportable under general license "GRO", is amended by adding thereto the following commodities:

Department of Commerce Schedule B No.	*Commodity*
	Meat products:
	Pork, except canned:
	Fresh or frozen pork:
002700	Pigs' feet.
	Other pork, pickled or salted:
003200	Dry salted ears; dry salted tails; neck bones, pickled or salted; neck ribs, pickled or salted; pigs' feet, pickled or salted; pork head skins, pickled; and tails, pickled.
	Pork, canned:
003700	Philadelphia scrapple; pigs' feet; and pork tongue, lunch, pickled, cured, or spiced.

Department of Commerce Schedule B No.	Commodity
	Meat products—Continued
	Other canned meat (report chicken, canned, in 003901):
003909	Blood pudding; brains; lamb tongue; lunch tongue, except beef, ox, or pork; meat spreads, except beef, pork, or chicken; pate de fois gras; pemmican; sweetbreads; and wild rabbit meat.
	Sausage ingredients, salted or otherwise cured, except canned:
004400	Cheeks; ears, dry salted; feet; heads; knuckles; lacones, dry salted; menudos (dry salted ears and tails); pigs' feet; pork feet, with hocks; tails, dry salted; testes; and tripe trimmings.
	Other meats, except canned:
004500	Brains, chitterlings; dehydrated pork; goat meat, fresh or frozen; ox tails, fresh or frozen; pig souse; sausage ingredients, fresh; sweetbreads; and tripe, fresh.
	Dairy products:
006850, 006890	Infants' and dietetic foods.
	Other dairy products:
006901	Malted milk, compounds, and mixtures.
006998	Dairy products, n. e. s. (Report ice cream powder, mix, and preparations in 006903).
	Other edible animal products:
	Meat extracts and bouillon cubes:
009400	Beef extracts; bouillon cubes, chicken; bouillon cubes, clam; bouillon cubes, meat; Bovril meat extract; saucenwerfel (meat extract).
009500	Gelatin, edible.
	Edible animal products, n. e. s.:
009900	Beef scraps, dried; beef suet; blood flour; bone, degelatinized, crude, ground; bone meal for baby food; bone scraps; calf rennet; double mix, butter extender; Dr. Rocine's food blend; meat scraps.
	Other inedible animals and animal products:
099998	Beef glands, beef ovaries, bladder manufacturers; blood adhesive; calf trimmings; candle pitch and candle tar; crude glands; ovaries, frozen; sheep glands, frozen; sheep gut, dry; sinews; tendons; and viscera.
	Grains and preparations:
101200	Pearl barley.
102100	Buckwheat, not for seed.
103200	Corn meal (including cases or small packages).
103300	Hominy and corn grits.
104300	Oatmeal, groats, and rolled oats, in bulk, sacks, or bags.
	Fodders and feeds, n. e. s.:
	Other prepared and mixed feeds:
118500	Dried buttermilk products for feed, regardless of protein content; and milk sugar, feed, regardless of protein content.
	Feeds, n. e. s.:
119900	Stimuflow.
	Miscellaneous vegetable products, inedible:
281150–281200	Starch, including cornstarch, corn flour, and other starch.
295100, 295300	Hops and hop products.
	Coal-tar products:
802590	Dinitrocresol, ortho.
	Medicinal and pharmaceutical preparations:
	Inorganic medicinal chemicals, n. e. s.:
813593	Alum, potassium U. S. P.; ammonium sulfate, purified; calcium oxide NF; copper (cupric) sulfate U. S. P.; ferrous ammonium sulfate; ferrous sulfate U. S. P.; ferrous sulfide; potassium bicarbonate U. S. P.; potassium sodium tartrates U. S. P.; sodium and ammonium phosphate; sodium oxalate; sodium sulfide purified; and zinc chloride NF.
	Organic medicinal chemicals, n. e. s.:
813595	Benzocaine U. S. P.; charcoal decoloring powder; citric acid U. S. P.; litmus cubes; mandelic (amygdalic) acid NF; procaine hydrochloride U. S. P.; protolysate (protein hydrolysate); tannic acid U. S. P.

Department of Commerce Schedule B No.	Commodity
	Chemical specialties:
820200	Lead arsenate.
820300	Calcium arsenate.
820560	Paradichlorobenzene.
820580	D. D. T. (dichlorodiphenyl trichloroethane) containing 25% or more D. D. T. 100% basis.
	Other agricultural insecticides, fungicides, and similar preparations and materials, dry or liquid basis:
820590	Benzene hexachloride; Bordeaux mixture (copper sulfate and lime); calcium cyanide (cyanogas); chlordane; copper acetoarsenite (paris green); copper arsenate; copper carbonate fungicides; cryolite insecticides; cuprous oxide fungicides; D. D. (dichloropropane and dichloropropene); D. D. D. (dichlorodiphenyl dichloroethane); D. D. T. in less than 25% content; dinitro preparations; lethane; marlate (bismethoxyphenyl trichloroethane); methoxycholor; nicotine preparations, except sulfate and alkaloid; piperonyl butoxide; TDE (1; 1-dichloro-2; 2-bis (p-chlorophenyl) ethane); toxaphene (a chlorinated terpene); triton X-100; 2,4-D (dichlorophenoxyacetic acid).
	Textile specialty compounds:
823850	Aridex, Beta soap; Duponal 189; Fenapal Developer O; Fenopon T; Fenopon T. Conc.; Humifen DA; Humifen O; Prestofen M Supra; Prestofen P; Prestofen V; Solvofen FI; Texop; zinc formaldehyde sulfoxylate Zn $(HSO_2CH_2O)_2$.
	Other cementing preparations for repairing, sealing, and adhesive use:
827400	Floor cement; floor patch, concrete; linoleum cement, except rubber; roofing cement; and wallboard cementing preparations.
	Organic surface-active agents:
828800	Trex-40 emulsifier; alkyl aryl sulfonate; polyhydrin alcohol compound.
	Industrial chemicals:
	Ammonium compounds, n. e. s.:
838500	Ferrous ammonium sulfate.

This amendment shall become effective July 8, 1949.

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR 1948 Supp.)

Dated: July 6, 1949.

W. S. THOMAS,
Acting Assistant Director,
Office of International Trade.

[F. R. Doc. 49–5915; Filed, July 19, 1949; 8:52 a. m.]

[Fourth General Revision of Export Regs., Amdt. 23]

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

COMMODITY QUOTAS AND TIME FOR SUBMISSION OF LICENSE APPLICATIONS

Section 372.9 *Commodity quotas and time for submission of license applications* is amended to read as follows:

§ 372.9 *Commodity quotas and time for submission of license applications*—(a) *Types of export quotas.* Export quotas for all commodities on the Positive List of Commodities are established for particular periods, usually calendar quarters. Export quotas are of two general types: quantitative and non-quantitative.

(1) *Quantitative quotas.* A quantitative quota is a quota which establishes the maximum quantity of a particular commodity for which export licenses may be granted by the Department of Commerce during a specific period (usually a calendar quarter).

NOTE: Where a quantitative quota is insufficient to meet the requirements of the importing countries and special projects abroad of vital interest to the United States, the quota may be divided so as to allocate a specific quantity to each of these requirements. When the amount available for commercial export is heavily oversubscribed, a further breakdown of this quantity may be made by establishing quotas for the various importing countries. These allocations by country are called *country quotas.*

(2) *Nonquantitative quotas.* Nonquantitative quotas are quotas for which no specific quantitative ceiling has been established. Nonquantitative quotas may be open-end or closed.

(i) *Open-end quotas.* An open-end quota is a quota against which export license applications are generally approved, provided that all applicable export regulations and security considerations are satisfied, and quantities specified on individual applications are not excessive.

(ii) *Closed quotas.* A closed quota is a quota against which, because of supply or security considerations, export license applications are approved only in exceptionally meritorious cases.

(b) *Announcement of export quotas.* With the exception of export quotas for food and agricultural products, which are announced by the U. S. Department of Agriculture upon approval of the Department of Commerce, all quantitative and open-end export quotas for particular periods are announced in Current Export Bulletins.

(c) *Shipment against quarterly export quotas.* Licenses issued against quarterly or other export quotas generally authorize export of the commodities described only after the beginning of the calendar quarter or other period to which the export quotas apply.

(d) *Time for submission of license applications.* Specific filing dates are established for applications covering certain Positive List commodities licensed against quantitative quotas which are heavily oversubscribed. Applications covering such commodities, specified in the following table, shall be submitted at such times or during such period as therein provided.

Applications for licenses to export commodties not listed in the table may be submitted at any time. If an open-end quota is anounced for a commodity for which there has been assigned by the Office of International Trade a specific time for receiving applications, the restriction as to time of submission of applications will be removed and applications may be submitted at any time.

TIME SCHEDULES FOR SUBMISSION OF APPLICATIONS FOR THE EXPORTATION OF CERTAIN COMMODITIES, THIRD QUARTER, 1949

Schedule B No.	Commodity	Third quarter, 1949
	Hides and Skins, Raw, Except Furs	
020602	Calf skins, dry [1]	Licensed on monthly basis, applications to be submitted during the first ten days of the current month.
020604	Calf skins, wet	
020702	Kip skins, dry [1]	
020704	Kip skins, wet	
	Steel Mill Products	
603350	Galvanized iron culvert sheets	May 9 to May 20.
603390	Other galvanized iron sheets	
603450	Galvanized steel culvert sheets	
603490	Other galvanized steel sheets	
603350	Galvanized iron culvert sheets, 18 gauge and heavier only	July 1 to July 15.[2]
603390	Other galvanized iron sheets, 18 gauge and heavier only	
603450	Galvanized steel culvert sheets, 18 gauge and heavier only	
603490	Other galvanized steel sheets, 18 gauge and heavier only	
	Other Nonferrous Ores, Metals, and Alloys, Except Precious	
641200	Refined copper in cathodes, billets, ingots, wire bars, or other forms	June 1 to June 20.
641300	Scrap copper	
650750	Lead pigs, bars, and anodes (include blocks and ingots)	
651200	Solder	
656507	Tin metal in ingots, pigs, bars, blocks, slabs, and other forms	
657101–657198	Zinc cast in slabs, pigs, or blocks	
662000	Babbitt metal	
664915	Cadmium metals (include metallic shapes)	

[1] Applications covering calf and kip skins, dry, imported, filed in accordance with the pro visions of § 373.10, paragraph (a) (2), may be submitted at any time.

[2] Applies only to applications filed against third-quarter supplemental quota for 18 gauge and heavier galvanized sheets.

This amendment shall become effective July 8, 1949.

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR 1948 Supp.)

Dated: June 29, 1949.

W. S. THOMAS,
Acting Assistant Director,
Office of International Trade.

[F. R. Doc. 49-5916; Filed, July 19, 1949; 8:52 a. m.]

[Fourth General Revision of Export Regs., Amdt. P. L. 7]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

DELETIONS FROM LIST

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

The following commodities are deleted from the Positive List:

Dept. of Comm. Sched. B No.	*Commodity*
	Grains and preparations:
101100	Barley (bu. 48 lb.), except seed.
101100	Barley for seed.
103150	Corn, other than seed, except popcorn (bu. 56 lb.) (formerly 103100)
103170	Corn seed, other than sweet corn seed, except popcorn (bu. 56 lb.) (formerly 103100) (report sweet corn seed in 246896).
103500	Grain sorghums (bu. 56 lb.) except seed (report grain sorghum for seed under 241990).
104100	Oats (bu. 32 lb.) except seed.
104100	Oats for seed.
108100	Rye (bu. 56 lb.) except seed.
106100	Rye for seed.

This amendment shall become effective July 8, 1949.

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR 1948 Supp.)

Dated: July 6, 1949.

W. S. THOMAS,
Acting Assistant Director,
Office of International Trade.

[F. R. Doc. 49-5917; Filed, July 19, 1949; 8:52 a. m.]

[Fourth General Revision of Export Regs., Amdt. P. L. 8]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

CASING, OIL-LINE, AND SEAMLESS PIPE; INTERPRETATION

Section 399.2 *Appendix B—Interpretations: Positive List of Commodities* is amended in the following particulars:

Interpretation 1: Pipe; Casing, Oil-Line, and Seamless is amended to read as follows:

(1) Casing and oil-line pipe, Schedule B Nos. 606250, 606290, 606350, and 606390, and seamless black pipe (except casing, oil line, and boiler), Schedule B No. 606400, have in the past been exported in considerable quantities under general license as pump installation parts. Such shipments were permissible since pump installation parts do not require validated licenses for export. However, it is necessary to set forth a limitation on the quantity of these commodities that may be exported under general license as pump installation parts.

(2) It has been decided, therefore, that a maximum of 250 feet of the above-described pipe or casing may be exported under general license provided such pipe accompanies the pump requiring its use for installation purposes and also provided such pipe is of appropriate size and type for use with that pump. A validated license is required for any quantity in excess of 250 feet. If, however, the pipe is being shipped separately from the pump, a validated license is required for the full amount of the shipment if it exceeds the GLV value of the commodity.

This amendment shall become effective July 15, 1949.

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR 1948 Supp.)

Dated: July 5, 1949.

W. S. THOMAS,
Acting Assistant Director,
Office of International Trade.

[F. R. Doc. 49-5918; Filed, July 19, 1949; 8:53 a. m.]

[Fourth General Revision of Export Regs., Amdt. P. L. 6]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

DELETIONS FROM LIST

In Federal Register Document 49-5660, appearing on page 3847 of the issue for Wednesday, July 13, 1949, footnote 2 should read as follows:

[2] By this amendment the description of the commodities remaining on the Positive List is revised to read as follows:

609500 Nails: asbestos shingle; roofing, lead headed; shingle; siding, zinc coated; smooth, flat head, cement-coated; and cut nails, except cut shoe nails.

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52267]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

WOOL PRODUCTS LABELING ACT OF 1939; INVOICING REQUIREMENTS

Further amendment of notice of additional information on invoices covering merchandise subject to the Wool Products Labeling Act of 1939.

T. D. 50388, as amended by T. D. 51019, is further amended by adding the following sentence to item 3 of the additional invoice requirements: "The name of the manufacturer of the wool product may be shown only on the duplicate and triplicate copies of the invoice if the seller or shipper desires."

Section 8.13 (i), Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.13 (i)), as redesignated by T. D. 51059, is hereby further amended by adding the number and date of this Treasury decision to the Treasury decisions appearing opposite the item "Wool Products, except wool products made more than 20 years prior to importation, and carpets, rugs, mats, and upholsteries."

(Sec. 8, 54 Stat. 1132, secs. 481, 624, 46 Stat. 719, 759; 15 U. S. C. 68f, 19 U. S. C. 1481, 1624)

[SEAL] FRANK DOW,
Commissioner of Customs.

Approved: July 12, 1949.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 49-5934; Filed, July 19, 1949; 8:53 a. m.]

[T. D. 52268]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

EVIDENCE OF RIGHT TO MAKE ENTRY

Section 8.6 (a), Customs Regulations of 1943, relating to evidence of right to make entry, amended.

Section 8.6 (a), Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.6 (a)), is hereby amended by deleting the first sentence and inserting the following in lieu thereof: "The holder of a bill of lading, properly endorsed when endorsement is required under the law, shall have the right to make entry.[5] However, the consignee named in a nonnegotiable bill of lading may not by endorsing it vest in someone else a right to make entry."

(Sec. 484, 46 Stat. 722; 19 U. S. C. 1484)

[SEAL] FRANK DOW,
Commissioner of Customs.

Approved: July 13, 1949.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 49-5935; Filed, July 19, 1949; 8:53 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

Subchapter B—Property Improvement Loans

PART 201—CLASS 1 AND CLASS 2 PROPERTY IMPROVEMENT LOANS

INSURANCE RESERVE

Section 201.12 (a) *Legal limit* is amended by striking out "July 1, 1949" and inserting in lieu thereof "September 1, 1949".

Section 201.12 (b) *General insurance reserve* is amended by striking out "July 1, 1949" and inserting in lieu thereof "September 1, 1949".

(Sec. 2, 48 Stat. 1246, as amended; 12 U. S. C. and Sup. 1703)

Issued at Washington, D. C., this 15th day of July 1949.

[SEAL] FRANKLIN D. RICHARDS,
Federal Housing Commissioner.

[F. R. Doc. 49-5936; Filed, July 19, 1949; 9:06 a. m.]

PART 202—CLASS 3 PROPERTY IMPROVEMENT LOANS

INSURANCE RESERVE

Section 202.12 (a) *Legal limit* is amended by striking out "July 1, 1949" and inserting in lieu thereof "September 1, 1949".

Section 202.12 (b) *General insurance reserve* is amended by striking out "July 1, 1949" and inserting in lieu thereof "September 1, 1949".

(Sec. 2, 48 Stat. 1246, as amended; 12 U. S. C. and Sup. 1703)

Issued at Washington, D. C., this 15th day of July 1949.

[SEAL] FRANKLIN D. RICHARDS,
Federal Housing Commissioner.

[F. R. Doc. 49-5937; Filed, July 19, 1949; 9:06 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

Subchapter D—Grants

PART 55—GRANTS AND LOANS FOR WATER POLLUTION CONTROL

SUBPART A—GRANTS FOR INVESTIGATION, RESEARCH, SURVEYS AND STUDIES OF WATER POLLUTION CAUSED BY INDUSTRIAL WASTE

Sec.
55.1 Definitions.
55.2 Apportionment of appropriations.
55.3 Provisional allotments; State agencies; basis.
55.4 Fiscal year 1950.
55.5 Applications for allotment.
55.6 Waiver of provisional allotments; State agencies.
55.7 Allotment and payment.
55.8 Supplemental allotment.
55.9 Expenditure of grants.
55.10 Change in status of State or interstate agency; disposition of balances.

AUTHORITY: §§ 55.1 to 55.10 issued under sec. 8 (a), 62 Stat. 1159, Pub. Law 845, 80th Cong.

§ 55.1 *Definitions.* All terms used in this subpart which are defined in the Water Pollution Control Act and not defined in this section shall have the meaning given to them in such act. As used in this subpart, the following terms shall have the meaning indicated hereinbelow:

(a) *Federal act.* The Water Pollution Control Act (Pub. Law 845, 80th Cong., approved June 30, 1948, 62 Stat. 1155).

(b) *Public Health Service.* The Public Health Service in the Federal Security Agency.

(c) *Surgeon General.* The Surgeon General of the Public Health Service.

(d) *State.* A State, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands.

(e) *State water pollution agency.* The agency of the State which has comprehensive powers for enforcing the State laws relating to the abatement of water pollution. If there is no one agency of the State which has such powers, or if such agency is the State health authority, the term means the State health authority.

(f) *Interstate agency.* An agency of two or more States having powers or duties pertaining to the abatement of pollution of waters.

(g) *Fiscal year.* A 12-months period beginning on July 1. "Fiscal year 1950" means the 12-months period ending June 30, 1950.

§ 55.2 *Apportionment of appropriations.* The funds appropriated pursuant to section 8 (a) of the Federal Act for expenditure for the conduct of investigations, research, surveys, and studies related to the prevention and control of water pollution caused by industrial wastes (hereinafter referred to as industrial waste studies) shall be available for allotment as follows:

(a) An amount designated by the Surgeon General for provisional allotment to States.

(b) The balance for allotment to interstate agencies for industrial waste studies and to State and interstate agencies for special industrial waste studies which are of national or sectional importance.

§ 55.3 *Provisional allotments; State agencies; basis.* (a) Prior to the beginning of any fiscal year or as soon thereafter as funds are appropriated pursuant to section 8 (a) of the Federal act, the Surgeon General shall make provisional allotments to States of the funds designated by the Surgeon General as available for such provisional allotments.

(b) Such provisional allotments shall be made on the basis of the extent of the industrial waste problem in the areas served by the respective State agencies. For any fiscal year such allotments shall be made on the basis of factors, determined by the Surgeon General, in accordance with available data, to be reasonably related to the extent of the industrial waste problem.

§ 55.4 *Fiscal year 1950.* For the fiscal year 1950 (a) eighty-five percent of the funds appropriated pursuant to section 8 (a) of the Federal act shall be available for provisional allotments to States as follows:

(1) One percent for each State;

(2) The balance on the basis of the population of the States weighted by financial need. As used herein, "population" means, with respect to any State, the most recent official estimates of the Bureau of the Census available on January 1 preceding the fiscal year for which funds are appropriated pursuant to section 8 (a) of the Federal act; and "financial need" means the relative per capita income of a State as shown by data supplied by the Bureau of Foreign and Domestic Commerce for the most recent five-year period available on the January 1 preceding the fiscal year for which funds are appropriated for carrying out the purposes of section 8 (a) of the Federal act.

(b) Fifteen percent of the funds appropriated pursuant to section 8 (a) of the Federal act shall be available for allotment to interstate agencies for industrial waste studies and to States and interstate agencies for special industrial waste studies which are of national or sectional importance.

§ 55.5 *Applications for allotment.* Each State and each interstate agency may qualify for an allotment from the appropriation for any fiscal year on the basis of appropriate applications therefor. Such applications shall be made to the Surgeon General on forms prescribed by him and shall:

(a) Be made in duplicate and if practicable at least 45 days prior to July 1 of the fiscal year for which allotment is requested, except that States and interstate agencies may make application at any time for allotments with respect to special industrial waste studies of national or sectional importance;

(b) Describe the problems of industrial waste and the general scope and nature and present status of the investigations, researches, surveys and/or studies to be conducted with reference thereto;

(c) Set forth the facilities and other aids available to the agency for the purposes of such investigations, researches, surveys and/or studies;

(d) Set forth a schedule of estimated expenditures and the amount for which application is made;

(e) Contain assurances that the applicant will make such report as the Surgeon General may reasonably require, and maintain and make available for purposes of audit, accurate records of all expenditures of such grants.

§ 55.6 *Waiver of provisional allotments; State agencies.* At the time of making application for an allotment or at any time prior to the making of allotment or supplementary allotments as provided in §§ 55.7 and 55.8 any State agency may waive in favor of any State or interstate agency or agencies the whole or any part of its provisional allotment as it may designate in its application.

§ 55.7 *Allotment and payment.* (a) The Surgeon General shall make allotments on the basis of applications filed in accordance with the provisions of § 55.5 as follows:

(1) To each State an amount not to exceed its provisional allotment, as increased or decreased by waivers made in accordance with § 55.6, determined by the Surgeon General to be reasonably necessary for the conduct of the industrial waste studies described in its application;

(2) To interstate agencies for the conduct of industrial waste studies, and to States and interstate agencies for the conduct of special industrial waste studies which are of national or sectional importance amounts determined by the Surgeon General to be reasonably necessary on the basis of the relative scope, urgency, and probable general value of the proposed studies. Allotments under this paragraph shall be made without regard for, and shall not affect, provisional allotments to States;

(3) In case of a waiver by any State agency in favor of any State or interstate agency in accordance with § 55.6, additional allotments may be made to such State or interstate agency in an amount, not to exceed such waiver, determined by the Surgeon General to be reasonably necessary for the conduct of industrial waste studies so described in its application as approved by the Surgeon General on the basis of the scope, urgency, and probable general value of such proposed industrial waste studies.

(b) The Surgeon General shall certify to the Secretary of the Treasury, for payment to the States and interstate agencies, the amount of their respective allotments as determined pursuant to §§ 55.7 and 55.8.

§ 55.8 *Supplemental allotment.* Any balance of the amount designated by the Surgeon General for provisional allotment to States which has not been allotted in accordance with § 55.7 of these regulations prior to November 15 of any fiscal year, shall be available for allotment to States and to interstate agencies (including interstate agencies qualifying as such after July 1 of such year) without regard to provisional allotments to States. Such allotments shall be made, in amounts determined by the Surgeon General, on the basis of the relative scope, urgency and probable general value of the proposed industrial waste studies or special industrial waste studies, to States and to interstate agencies making application therefor.

§ 55.9 *Expenditure of grants.* Amounts paid to a State or to an interstate agency from the appropriation for any fiscal year shall be used solely for expenditures incurred for the conduct of industrial waste studies. Such expenditures, in the case of amounts paid to a State shall be made by or under the direction of the State water pollution agency and, in the case of amounts paid to an interstate agency, shall be made by such interstate agency.

§ 55.10 *Change in status of State or interstate agency; disposition of balances.* In the event that a State agency shall cease to qualify as such, the unobligated balance of any amounts paid to the State on behalf of such agency shall be transferable to such other agency of the State as is found by the Surgeon General to be the State agency, and if an interstate agency ceases to qualify as such the unobligated balance of any amount paid to such interstate agency shall be transferable, as determined by the Surgeon General, to the successor, if any, of such interstate agency or shall be returned to the Treasury of the United States.

Dated: July 13, 1949.

Recommended:

[SEAL] A. P. DEARING,
Acting Surgeon General.

Approved: July 13, 1949.

J. DONALD KINGSLEY,
Acting Federal Security Administrator.

[F. R. Doc. 49-5920; Filed, July 19, 1949; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 53]

MEATS, PREPARED MEATS, AND MEAT PRODUCTS

FEES AND OTHER CHARGES FOR GRADING AND CERTIFICATION

Notice is hereby given in accordance with section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture, pursuant to the Agricultural Marketing Act of 1946 (7 U. S. C. 1621–1627) and the so-called Farm Products Inspection Act consisting of the item for market inspection of farm products recurring each year in the annual appropriation act for the Department of Agriculture and currently found in the Department of Agriculture Appropriation Act, 1950 (7 U. S. C. Sup. 414) is considering amending § 53.35 of the regulations governing the grading and certification of meats, prepared meats, and meat products (7 CFR 53.35) to read as follows:

§ 53.35 *Fees and other charges for grading services.* Fees and other charges equal as nearly as may be to the cost of the grading services rendered shall be assessed and collected from applicants as follows:

(a) *Fees based on hourly rates.* Except as otherwise provided in this section, fees for grading services shall be based on the time actually required to render the services, including the time required for the travel of the official grader in connection therewith, and shall be at hourly rates prescribed from time to time by the Secretary. A minimum charge for one-half hour shall be made notwithstanding that the time required to perform the services may be less than thirty minutes.

(b) *Fees for grading services in unusual circumstances.* The Secretary may, in lieu of the fees that would be assessed under paragraph (a) of this section, establish other reasonable charges for grading services to be rendered in unusual circumstances, at rates that in his judgment will equal as nearly as may be the cost of the services.

(c) *Charges under cooperative agreements.* Charges for grading services under cooperative agreements shall be those prescribed by the Secretary under paragraph (a) of this section, unless otherwise stipulated in the agreements.

(d) *Fees for investigations of acceptability of inspection.* When an application is made for the institution of grading services on products prepared at a particular plant under inspection conducted by a State, county, city, or other political subdivision, or when an application is made for restoration of grading services previously withdrawn with respect to such products, there shall be charged in addition to the fees and charges otherwise chargeable under this section, such fees as may be prescribed by the Secretary to cover the cost of all investigations other than the first investigation which the Secretary may find are necessary to determine whether such inspection is acceptable under the regulations. No fees shall be charged for examinations conducted by the Administrator at plants previously found acceptable in order to determine whether the inspection requirements specified under the regulations are being adequately enforced at such plants.

(e) *Fees for appeal grading.* Fees for appeal grading shall be double those charged for the original grading services: *Provided,* That any fees charged under paragraph (d) of this section shall not be included in calculating the appeal grading fees: *And provided further,* That when on appeal grading it is found that there was error in the original grading equal to or exceeding ten percent of the total weight of the products graded no charge will be made for the appeal grading unless a special agreement therefor is made with the applicant in advance.

(f) *Charges for extra copies of grading certificates.* Upon payment of a fee of one dollar ($1.00) any financially interested party may obtain not to exceed three copies of a grading certificate in addition to copies of the certificates issued under § 53.21.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them with the Director of the Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., within fifteen days after publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 15th day of July 1949. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49–5941; Filed, July 19, 1949; 8:59 a. m.]

[7 CFR, Parts 725, 726]

BURLEY, FLUE-CURED, FIRE-CURED AND DARK AIR-CURED TOBACCO

NOTICE OF FORMULATION OF REGULATIONS RELATING TO ESTABLISHMENT OF TOBACCO FARM ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR 1950–51 MARKETING YEAR

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1312, 1313), the Secretary of Agriculture is preparing to formulate regulations governing the establishment of farm acreage allotments and normal yields for marketing quotas to be in effect during the 1950–51 marketing year for Burley, flue-cured, fire-cured, and dark air-cured tobacco.

A national marketing quota of 1,097,000,000 pounds of flue-cured tobacco was proclaimed by the Secretary for the 1950–51 marketing year on July 1, 1949 (14 F. R. 3737). The applicability of the regulations to be issued with respect to Burley, fire-cured, and dark air-cured tobacco will be contingent upon the proclamation of a national marketing quota pursuant to section 312 of the act, and in the case of flue-cured and Burley tobacco, upon approval of marketing quotas by growers voting in referenda.

Growers of fire-cured and dark air-cured tobacco voting in referenda held on November 27, 1948, favored marketing quotas for the marketing years 1949–50 through 1951–52 by a percentage of 94.7 in the case of fire-cured tobacco and 96.1 in the case of dark air-cured tobacco (14 F. R. 55).

Prior to the final adoption and issuance of these regulations, consideration will be given to any date, views, and recommendations pertaining thereto which are submitted in writing to the Director, Tobacco Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than July 30, 1949.

Issued at Washington, D. C., this 14th day of July 1949.

[SEAL] RALPH S. TRIGG,
Administrator.

[F. R. Doc. 49–5947; Filed, July 19, 1949; 8:59 a. m.]

[7 CFR, Parts 904, 934, 947]

MILK IN GREATER BOSTON, LOWELL-LAWRENCE, AND FALL RIVER, MASS., MILK MARKETING AREAS

CONSIDERATION OF SUSPENSION OF CERTAIN PROVISIONS OF CERTAIN ORDERS REGULATING HANDLING

Notice is hereby given that pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), consideration is being given to the suspension of the following provisions of Orders 4, 34, and 47, as amended, regulating the handling of milk in the greater Boston, Lowell-Lawrence, and Fall River, Massachusetts, milk marketing areas, respectively, with respect to all milk subject to the provisions of the respective orders during August 1949:

A. Order No. 4: (1) The provisions appearing in § 904.7 (a) which read: "In determining the Class I price for each month the latest reported figures available to the market administrator on the 25th day of the preceding month shall be used in making the following computations, except that if the 25th day of the preceding month falls on a Sunday, or legal holiday, the latest figures available on the next succeeding work day shall be used:";

(2) Subparagraphs (1), (2), (3), (4), (6), and (7) of § 904.7 (a); and

(3) The entire table appearing in § 904.7 (a) (5), except the provisions "Class I Price Per Hundredweight", the symbol "$", and the figure or price "5.43".

B. Order No. 34: (1) The provisions appearing in § 934.6 (a) which read: "In determining the Class I price for each delivery period the latest reported figures available to the market administrator on the 25th day of the preceding month shall be used in making the following computations, except that if the 25th day of the preceding month falls on a Sunday, or legal holiday, the latest reported figures available on the next succeeding work day shall be used.";

(2) Subparagraphs (1), (2), (3), (4), (6), and (7) of § 934.6 (a); and

(3) The entire table appearing in § 934.6 (a) (5), except the provisions, "Class I Price Per Hundredweight", the symbol "$", and the figure or price "5.95".

C. Order No. 47: (1) The provisions appearing in § 947.6 (a) which read: "In determining the Class I price for each delivery period the latest reported figures available to the market administrator on the 25th day of the preceding month shall be used in making the following computations: except that if the 25th day of the preceding month falls on a Sunday or legal holiday, the latest reported figures available on the next succeeding work day shall be used:";

(2) Subparagraphs (1), (2), (3), (4), (6), and (7) of § 947.6 (a); and

(3) The entire table appearing in § 947.6 (a) (5), except the provisions, "Class I Price Per Hundredweight", the symbol "$", and the figure or price "6.18".

In accordance with the Administrative Procedure Act (5 U. S. C. 1001 et seq.) all persons who desire to submit oral or written data, views, or arguments with respect to the necessity for the action under consideration will be given an opportunity to do so at Courtroom No. 5, Federal Building, Post Office Square, Boston, Massachusetts, beginning at 10 a. m., e. d. s. t. July 21, 1949.

Issued at Washington, D. C., this 15th day of July 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-5940; Filed, July 19, 1949; 8:59 a. m.]

[7 CFR, Part 927]

MILK IN NEW YORK METROPOLITAN MILK MARKETING AREA

CONSIDERATION OF SUSPENSION OF CERTAIN PROVISIONS OF ORDER, AS AMENDED, REGULATING HANDLING

Notice is hereby given that pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), consideration is being given to the suspension of the following provisions in § 927.5 (a) (1) of the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area, with respect to all milk received from producers or cooperative associations of producers during the month of August 1949:

(1) The entire table appearing therein, except the provisions, "Dollars per cwt." and the figure or price "5.24"; and

(2) Subdivision (ii).

In accordance with the Administrative Procedure Act (5 U. S. C. 1001 et seq.), all persons who desire to submit written data, views, or arguments with respect to the necessity for the action under consideration, will be given an opportunity to do so by filing them in quadruplicate with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the fifth day after publication of this notice in the FEDERAL REGISTER.

Issued at Washington, D. C., this 15th day of July 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-5939; Filed, July 19, 1949; 8:58 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 40, 61]

ISSUANCE OF AIR CARRIER OPERATING CERTIFICATES TO PERSONS HOLDING TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board an extension of the provisions of Special Civil Air Regulation Serial Number SR-326.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received within 15 days from the date of this publication will be considered by the Board before taking further action on the proposed rule.

Special Civil Air Regulation Serial Number SR-326 will terminate August 31, 1949. Such regulation authorizes the Administrator to issue an air carrier operating certificate, or amendments thereto, under conditions which do not fully meet the requirements of Parts 40 and 61, to an air carrier holding a temporary certificate of public convenience and necessity issued by the Board.

At the time that SR-326 was adopted by the Board, it was intended that in the year following such adoption appropriate revisions of Parts 40 and 61 would be promulgated which would be appropriate for the regulation of the "feeder-type" operations conducted by the carriers holding temporary certificates of public convenience and necessity. However, although revision of Parts 40 and 61 is a project on which the Bureau has been actively engaged in the past year, the projected revision has not been completed. It is therefore proposed to extend the authority granted the Administrator in SR-326 for an additional one-year period pending the promulgation of a revised Part 40.

This regulation is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Secs. 205 (a), 601-610, 52 Stat. 984, 1007-1012, 62 Stat. 1216; 49 U. S. C. 425 (a), 551-560, act of July 1, 1948)

Dated July 15, 1949, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 49-5938; Filed, July 19, 1949; 9:06 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Office of the Secretary

OREGON

DESIGNATION OF FOREST SERVICE AS AGENCY WITHIN DEPARTMENT OF AGRICULTURE TO ADMINISTER, PROTECT AND MANAGE CERTAIN LANDS

By virtue of and pursuant to the authority vested in me by Title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (50 Stat. 522, 525), and Executive Order No. 7908, dated June 9, 1938, the hereinafter described lands, which have been acquired by the United States by exchange under the provisions of Title III of the Bankhead-Jones Farm Tenant Act, as amended, are hereby entrusted to the Forest Service of the Department of Agriculture for protection, administration and management, under the rules and regulations applicable to national forest lands insofar as consistent with the powers and authority vested in the Secretary of Agriculture by the aforesaid Executive Order and Title III of the Bankhead-Jones Farm Tenant Act:

WILLAMETTE MERIDIAN

T. 14 S., R. 11 W.,
Sec. 5, Lots 4, 5, 12, 13, 14, 19 and 20;
Sec. 6, Lots 1, 7, 8, 9, 10, 15 and 18;
Sec. 32, S½NW¼, NW¼SW¼, N½NE¼ SW¼.
T. 14 S., R. 12 W.,
Sec. 1, Lots 9, 10, 14 and 15.

The rules and regulations providing for the protection, occupancy, use and

administration of the national forests, as hitherto approved by the Secretary or Acting Secretary of Agriculture and now effective in relation to national-forest land, are herewith adopted and promulgated as rules and regulations for the protection, occupancy, use and administration of the said lands insofar as is practical and consistent with the acts of Congress under which said lands were acquired.

Date: July 15, 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-5911; Filed, July 19, 1949; 8:45 a. m.]

FEDERAL POWER COMMISSION

[Project No. 2016]

CITY OF TACOMA, WASHINGTON

NOTICE OF APPLICATION FOR LICENSE (MAJOR)

JULY 14, 1949.

Public notice is hereby given that the City of Tacoma, Washington, has made application under the Federal Power Act (16 U. S. C. 791a–825r) for a license for proposed major Project No. 2016 (Cowlitz Power Development) to be located on Cowlitz River in Lewis County, with transmission lines in that county and in Thurston and Pierce Counties, Washington. The proposed project would affect the interest of interstate or foreign commerce as well as lands of the United States and would consist of: (1) the Mossyrock Dam in the SW¼ of sec. 10, T. 12 N., R. 3 E., Willamette meridian, about 2½ miles east of Mossyrock, Washington, creating a reservoir with a maximum elevation of 750 feet above sea level extending upstream a distance of about 21 miles and providing usable storage of about 823,620 acre-feet with a drawdown of 100 feet, a powerhouse to be constructed at the toe of the dam containing three 103,000-horsepower turbines connected to three 75,000-kilowatt generators, and switching and transforming equipment adjacent to the powerhouse; (2) the Mayfield Dam in the SW¼ of sec. 20 and the NW¼ of sec. 29, T. 12 N., R. 2 E., Willamette meridian, about 1 mile southwest of Mayfield, Washington, creating a reservoir with a maximum elevation of 425 feet above sea level extending upstream a distance of about 13½ miles and providing usable storage of about 21,000 acre-feet with a draw-down of 10 feet, a conduit consisting principally of tunnel and penstocks, a powerhouse containing three 55,000-horsepower turbines connected to three 40,000-kilowatt generators located about 1,000 feet downstream from the dam, and switching and transforming equipment adjacent to the powerhouse; (3) a sub-station near the south city limit of Tacoma; (4) double-circuit 230-kilovolt transmission lines with total length of about 58 miles extending from the powerhouses to a junction about midway between the two and thence to the substation on the outskirts of Tacoma; and (5) appurtenant facilities.

Any protest against the approval of this application or request for hearing thereon, with the reasons for such protest or request, and the name and address of the party or parties so protesting or requesting, should be submitted on or before August 23, 1949, to the Federal Power Commission, Washington 25, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-5903; Filed, July 19, 1949; 8:50 a. m.]

[Docket Nos. G-1067, G-1177, G-1195]

SAN JUAN PIPE LINE CO. ET AL.

ORDER REOPENING PROCEEDINGS FOR THE PURPOSE OF TAKING ADDITIONAL EVIDENCE

JULY 13, 1949.

In the matters of San Juan Pipe Line Company, Docket No. G-1067, El Paso Natural Gas Company, Docket No. G-1177, and Pacific Gas and Electric Company, Docket No. G-1195.

San Juan Pipe Line Company (San Juan) a subsidiary of El Paso Natural Gas Company filed an application in Docket No. G-1067 with the Commission on June 30, 1948, requesting a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of facilities for the transportation of natural gas from the San Juan Basin in northwest New Mexico and southwest Colorado for delivery and sale to the El Paso Natural Gas Company at a point near Franconia, Arizona, at which point the El Paso Company proposed to transport the gas to the Arizona-California border for delivery and sale to Pacific Gas and Electric Company.

El Paso Natural Gas Company (El Paso) filed an application in Docket No. G-1177 with the Commission on March 9, 1949, which was amended on April 15, 1949, requesting a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of facilities for the transportation of natural gas from the said San Juan Basin for delivery and sale to the Pacific Gas and Electric Company at the Arizona-California border near Topock, Arizona, and to the cities of Winslow, Flagstaff, Williams, Seligman, Prescott and Kingman, Arizona. The facilities to be used for such transportation are substantially the same facilities, except for the lateral lines, as those for which the application was filed by San Juan Pipe Line Company in Docket No. G-1067.

Pacific Gas and Electric Company (Pacific) filed an application with the Commission on April 15, 1949, in Docket No. G-1195, requesting an amendment to a certificate of public convenience and necessity granted on February 28, 1949, in Docket No. G-1092 whereby Pacific's authorization to transmit natural gas through its Topock-Milpitas pipe line would be increased from 250 million cubic feet per day to 400 million cubic feet per day.

The application of San Juan was consolidated and heard in conjunction with prior applications filed by El Paso and Pacific in Docket Nos. G-1019 and G-1092, respectively, and on February 15, 1949, its application was ordered separated from said dockets and decision in Docket No. G-1067 was withheld. On May 5, 1949, pursuant to motion, the proceedings on the applications filed in Docket Nos. G-1067, G-1177 and G-1195 were consolidated. Hearings thereon were held in Washington, D. C., from May 31 through June 1949 and, pursuant to an order of the Commission of June 1, 1949, granting Applicants' Motion to Omit Intermediate Decision Procedure, oral argument in lieu of briefs was heard by the Commission on June 8, 1949.

The State of Colorado and the Gas Conservation Commission of the State of Colorado, the State of Arizona and the Arizona Corporation Commission, the Atomic Energy Commission, the United States of America, the California Manufacturers Association, the Counties of Coconino, Navajo, Yavapai, Mohave, and Apache and the Municipalities of Flagstaff, Williams, Winslow, Seligman, Kingman, and Holbrook, Arizona, the City of Los Angeles, California, and the California-Pacific Utilities Company intervened.

El Paso Natural Gas Company. El Paso is a corporation organized under the laws of the State of Delaware with its principal place of business at El Paso, Texas, and is authorized to do business in the States of Arizona, New Mexico, Utah and Texas. It is engaged, among other things, in the transportation and sale of natural gas in interstate commerce for resale by means of an integrated pipeline system extending from the Panhandle gas field in Texas through the States of New Mexico and Arizona, to the California-Arizona border.

Heretofore, on March 1, 1949, in Docket No. G-1019, a certificate of public convenience and necessity was issued to El Paso, authorizing the construction and operation of natural gas transmission facilities enabling it to transport 250 million cubic feet per day of natural gas from the Permian Basin in Texas and New Mexico to the Arizona-California border, near Topock, Arizona, and to sell such gas to Pacific for its own use, for sale to consumers and for sale for resale. It is now proposed by El Paso to transport, via the facilities proposed in Docket No. G-1177, an additional 150 million cubic feet per day of natural gas from the Barker Dome and Blanco Fields in the San Juan Basin to a point of connection with El Paso's 30-inch line near Franconia, Arizona, for delivery to Pacific at the Arizona-California border near Topock, Arizona, and 15 million cubic feet per day of natural gas for delivery to Southern Union Gas Company for resale and distribution in the communities of Flagstaff, Williams, Prescott, Winslow, Seligman, and Kingman, Arizona. The proposed sale of additional gas is largely for the purpose of assisting Pacific in meeting present and anticipated demands on its system.

The original plan set forth in Docket No. G–1067 whereby the proposed facilities were to be constructed by San Juan has been altered so that El Paso now will construct such facilities directly, rather than through its wholly owned subsidiary, San Juan. San Juan has stated that it does not desire a certificate authorizing it to construct and operate the proposed facilities.

Included in the facilities for which a certificate is sought by El Paso is a 10¾-inch pipe line approximately 52.5 miles in length, extending from the Boundary Butte Field, San Juan County, Utah, to El Paso's proposed 24-inch main transmission pipe line. El Paso has not yet obtained a firm supply of gas in this field and does not now propose to construct the line to this field. Likewise there are included in the application certain facilities which are to be used exclusively in the gathering of natural gas, for which a certificate is not required under the Natural Gas Act.

The contracts entered into between El Paso and Pacific covering the proposed service, which provide for service for not less than 20 years, are not in a form that can be accepted for filing as a schedule of rates and charges, and of classifications, practices and regulations affecting such rates and charges. Under its contracts El Paso proposes to charge Pacific for gas delivered through December 31, 1951, at the rate of 17¼¢ per thousand cubic feet, and thereafter on the basis of a demand charge of $1.00 per month per thousand cubic feet of maximum contracted daily demand plus a commodity charge of 13¾¢ per thousand cubic feet. These contracts cover the delivery of 250 million cubic feet of natural gas per day heretofore authorized in Docket No. G–1019 as well as the delivery of the additional 150 million cubic feet of natural gas per day for which authorization is sought in these proceedings. The proposed rates and charges for delivery to Pacific of an aggregate volume of 400 million cubic feet of natural gas per day do not reflect the cost of service as related to either the facilities to be used in rendering such service or the operating expenses properly applicable thereto.

The cost to El Paso of the facilities to be installed which are the subject of this proceeding is estimated to be $31,118,305. This cost reflects elimination of the facilities to the Boundary Butte Field, and reduces an initial cost estimate from $32,000,000 to $31,118,305. El Paso proposes to finance this construction by the issuance of bonds in the amount of $21,300,000, and the balance from other corporate funds and proceeds of bank loans. The bonds will bear interest at the rate of 3¼% and mature in 15 years. The bonds to be issued to finance the proposed facilities will be sold to various insurance companies which already have purchased bonds in connection with the financing of previously authorized facilities.

El Paso's capitalization as of December 31, 1948, consists of 78.48% debt and 21.52% equity, and as a result of the proposed financing this high ratio of debt to equity will further increase to over 80% of debt. El Paso recognizes that this percentage of debt to equity capital is high, and a reduction in debt should be made. It has consistently maintained that its policy will be to convert outstanding debentures totalling $20,000,000 to stock when market conditions justify the conversion, and at the present time it is considering conversion of $5,000,000 of such debentures to preferred stock. Conversion of this amount of debentures will still leave El Paso with an 80% debt ratio at the end of the year 1950.

El Paso proposes to secure the volumes of natural gas to meet its commitment of 165 million cubic feet of gas per day from the Barker Dome and Blanco Fields in the San Juan Basin. As to the Barker Dome Field it has entered into a contract with the Delhi Oil Corporation to purchase 110 million cubic feet of gas per day for 25 years. Delhi's obligation to deliver this volume is limited to the volumes of gas which may be legally produced from the acreage named in the contract. The balance of the natural gas is to be taken from the Blanco Field. In the so-called proven area in the Blanco Field, El Paso has an undivided one-half interest in leases covering 6,720 acres with the other one-half interest held by Delhi, and owns a ⅜th undivided interest in 425 acres with a ⅜th interest therein owned by the Delhi Corporation, and the remaining interest in the 425 acres is held by other persons.

El Paso and Delhi have reached an understanding as to the production of gas from their interests in the Blanco Field of 6,720 and 425 acres, which is to be the subject of a future contract covering such production and for the sale of the gas so produced. It is expressly understood between the parties that Southern Union Gas Company may take 10 million cubic feet of gas per day from this acreage if it so desires.

El Paso estimates that, in the Blanco Field, the average reserves per acre are 14.7 million cubic feet. Thus in the proven area estimated to be 19,200 acres there would be present a recoverable reserve of 282 billion cubic feet. At the assumed average withdrawal rate of gas from this Field by El Paso of 41 million cubic feet of gas per day for a period of 20 years, a recoverable reserve of 299 billion cubic feet of gas would be required, and if the Southern Union Gas Company takes 10 million cubic feet of gas per day a recoverable reserve of 372 billion cubic feet would be required. Assuming that the reserve estimates as to the Blanco Field submitted by El Paso are correct, it has at this time only approximately 52 billion cubic feet of gas committed, which represents approximately a 3½ years supply if 41 million cubic feet of gas could be withdrawn daily from the acreage held by it.

The reserve estimates for the Barker Dome and Blanco Fields are subject to question both as to basic assumptions and method used. In determining the reserve estimates, the pressure decline method was used. The estimates rest on a production record for the Barker Dome Field of only 31/100th of 1% and for the Blanco Field 37/100th of 1% of the estimated volumes in place. This is far short of the production considered by the Commission in the Canadian River Gas, et al., proceedings in Docket Nos. G–124, G–118 and G–121 (3 FPC 32, 49) to be necesary for satisfactory use of the pressure decline method.

In addition to the inadequacy of the evidence as to gas in place, El Paso does not have contracts for the purchase of gas necessary to support its contractual sales commitments. There is no assurance that El Paso will have available to it a firm supply of natural gas.

Pacific Gas and Electric Company. Pacific is a corporation organized under the laws of the State of California with its principal place of busines at San Francisco, California, and renders electric, gas, water and steam heat service in the State of California. It operates an integrated system for the transportation of natural gas and renders gas service in 31 counties in northern and central California, serving 107 incorporated cities and towns, about 85 unincorporated communities and a number of rural areas. The City of Palo Alto owns and operates a gas distribution system and purchases all of its natural gas requirements from Pacific. More than 99% of the gas supplied to Pacific's customers is natural gas. Manufactured gas is used to supplement Pacific's natural gas supply and certain isolated communities are supplied with propane-air gas.

It is proposed by Pacific to transport to Milpitas, California, the natural gas purchased at the Arizona-California border from El Paso by means of the pipe line heretofore authorized by the Commission in Docket No. G–1092 in an order issued March 1, 1949. Only additional compressor facilities will be required in connection with such authorization. The volumes of natural gas to be delivered to Pacific by El Paso in Docket No. G–1092 aggregated 250 million cubic feet per day. In the instant proceeding it is proposed that this aggregate volume be increased to 400 million cubic feet per day of natural gas. To that end, Pacific requests that the Commission's order of March 1, 1949, be amended to authorize the transportation by it of an additional 150 million cubic feet per day of natural gas.

Additional volumes of natural gas are required by Pacific in order to meet constantly mounting demands for natural gas upon its system and because of increasing difficulty in obtaining adequate supplies of natural gas to meet its requirements from available sources within California.

Interveners. The State of Colorado and the Gas Conservation Commission of Colorado, intervener, requested that there be reserved for the people of Colorado the right to take natural gas from that portion of the San Juan Basin lying in the State of Colorado whenever such gas may be needed in that State. There was no showing that the benefits to the people of the State of Colorado would be greater than to the people of the States of California and Arizona, or that injury would occur if the gas was transported as proposed by these applications.

The Atomic Energy Commission intervened in opposition to the granting of a certificate to transport gas from the San Juan Basin unless it was assured of a continuing supply to meet its needs. That Commission at the present time is

purchasing natural gas from Southern Union Gas Company which in turn secures its supply for that part of its system serving the Atomic Energy Commission's installations at Los Alamos and Sandia, New Mexico, from the San Juan Basin. El Paso entered into an agreement with the Atomic Energy Commission that in the event the Federal Power Commission considered it appropriate to grant a certificate of public convenience and necessity to El Paso such certificate shall, subject to the approval of the Federal Power Commission, be granted on the following condition: "That the withdrawals of gas from the Barker Dome which are transmitted over El Paso Natural Gas Company's pipe line will not be in such quantity as to jeopardize the supply of gas in said Dome available to the Atomic Energy Commission in marketable quantities, and conditioned for a period of 25 years from date, and in total amount not to exceed 90 billion cubic feet."

The California-Pacific Utilities Company, a California corporation engaged, among other things, in the rendering of manufactured gas service in the town of Needles, California, intervened requesting that natural gas from the facilities of Pacific be made available to it. The town of Needles is located in the eastern San Bernardino County, California, on the Colorado River, approximately 8 or 9 miles distant from Pacific's transmission line which will transport gas received from El Paso. The California-Pacific Company renders gas service to approximately 760 residential and 80 commercial consumers in the town of Needles, and at least 80% of these customers use gas for heating, cooking and water heating. The present requirements are approximately 60 million cubic feet of gas per year which would probably increase to 200 million cubic feet of gas per year if natural gas is made available to it. The Company is prepared to acquire the rights-of-way and build the necessary 2 or 3 inch transmission line to connect Pacific's transmission system. The town of Needles is remote from all sources of heating fuel. The only available fuels are from the coal fields in Colorado and fuel oil from the Los Angeles Basin, which is approximately 300 miles away.

The remaining interveners requested no specific relief other than to support the application.

The Commission finds:

(1) The construction and operation of the facilities, except such facilities as are to be used exclusively in the gathering of natural gas, and the transportation and sale of natural gas proposed by Applicants, El Paso Natural Gas Company and Pacific Gas and Electric Company, for which authorization is requested, are subject to the requirements of section 7 of the Natural Gas Act, as amended.

(2) As the transportation of natural gas from the San Juan Basin is now proposed to be carried out by El Paso Natural Gas Company, the application of its subsidiary, San Juan Pipe Line Company, Docket No. G-1067, should be dismissed.

(3) El Paso's agreements entered into for the sale of natural gas do not meet the requirements of the Commission's Rules for the filing of tariffs, and the rates and charges to be made demanded and received by El Paso for the transportation and sale of natural gas should be consistent with the cost of rendering such service.

(4) The proposed service, construction and operation of the facilities by Applicants, if modified by appropriate certificate conditions, are required by the public convenience and necessity.

(5) Proper disposition by the Commission of the application of Pacific Gas and Electric Company and the intervention of California-Pacific Utilities Company depend upon the disposition which the Commission makes of El Paso Natural Gas Company's application.

(6) The present record is insufficient to permit the Commission to find that El Paso Natural Gas Company is able and willing to properly do the acts and perform the service proposed and to conform to the provisions of the Natural Gas Act, as amended, and the requirements, rules and regulations of the Commission thereunder, by reason of the failure to make an adequate showing that it owns or has contractually committed to it a natural gas supply adequate to meet the additional demands to be placed upon its system.

(7) El Paso Natural Gas Company should be afforded a further opportunity to submit at further hearing in these proceedings additional evidence with respect to the above matters and such other matters as may pertain to the issues in these proceedings.

The Commission orders:

(A) The proceedings in the above-entitled consolidated dockets be and they are hereby reopened for further hearing to be held upon motion by Applicants at a time and place to be hereafter named for the purpose of receiving additional evidence relating to the matters set out in paragraph (6) hereof, and with respect to any other matters pertaining to the issues that may be presented in these proceedings.

(B) The record herein shall remain open for a period not more than 3 months from the date of the issuance of this order for the purpose of entertaining a motion by Applicants for a further hearing.

(C) All interveners in this proceeding may participate in such further hearing in accordance with leave granted by the Commission.

(D) Interested State commissions may participate in such hearing as provided by the Commission's rules of practice and procedure.

By the Commission. Commissioner Draper dissenting.

NOTE: Dissent of Commissioner Draper filed as part of the original document.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 49-5904; Filed, July 19, 1949; 8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

[No. 29770]

INCREASED LESS-THAN-CARLOAD RATES, OFFICIAL TERRITORY

JULY 14, 1949.

The above-entitled proceeding is assigned for further hearing on September 21, 1949, beginning 8:30 a. m., U. S. standard time (9:30 a. m., District of Columbia daylight saving time), at Washington, D. C., before Examiner M. J. Walsh.

The Commission desires that petitioners' evidence-in-chief, and the evidence of protestants, be prepared in written form, if possible. Petitioners should serve copies of such evidence on the parties, including the State Commissions, shown in the appearances, and 50 copies on the Commission on or before August 22, 1949. Protestants should serve copies of such evidence on the State Commissions shown in the appearances, 20 copies on Joseph F. Eshelman, 1740 Broad Street Station Building, Philadelphia 3, Pennsylvania, and 30 copies on the Commission on or before September 12, 1949.

Attached hereto is appendix which contains special instructions and rules of procedure, supplementing the General Rules of Practice, to be followed in this proceeding.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

APPENDIX

SPECIAL RULES OF PRACTICE APPLICABLE IN DOCKET NO. 29770

Interventions, protests. Persons appearing in opposition to the petition will be considered as protestants, and may be heard without the filing of petitions of intervention.

NOTE. If the makers of any of the protests already filed desire to avoid the necessity for personal attendance and appearance as witnesses at the hearing, or to obviate preparation and service of verified statements, the Commission suggests that such protestants discuss with petitioners' counsel whether a stipulation can be made that a particular protest may be received in evidence for what it may be worth, as if a witness were to be produced, subject to objection as to materiality and relevancy.

Simplification of presentations. To conserve time and avoid expense, persons with common interests in the proceeding should, to the greatest extent possible, endeavor to consolidate their testimony and arrange for cross-examination by as few counsel as possible. The same course should be followed upon oral argument.

Evidence offered should be carefully prepared with a view to conciseness and clarity, and avoid inclusion of extraneous, immaterial, and irrelevant matter, and the undue cumulation of testimony or of witnesses upon any point. It should be factual in character, and argument should be reserved for the oral argument stage, and not be incorporated in the testimony.

Exhibits. In the preparation of exhibits, rules of practice 81 to 84, inclusive, should be followed. If possible, all documents submitted by a witness should be embraced in a single exhibit, with pages consecutively

numbered, suitably bound together. So far as possible exhibits should be made self-explanatory, in order to minimize the amount of time required for explanation by oral testimony.

Prepared statements. Witnesses who expect to read from a written statement should comply with Rule 77 of the rules of practice. They should have sufficient copies thereof for opposing counsel, the presiding officers, and the official reporter, and copies of the written statements should be furnished counsel a reasonable time before the witness takes the stand. However, in the interest of conservation of time, it is suggested that such statements be prepared, verified, and offered in the manner indicated below, instead of being read orally by a witness on the stand.

Witnesses who will use prepared statements should remember statistical or extensive tabular matter should be submitted separately, as an exhibit, and thus avoid the necessity for copying tabular matter into the transcript of oral testimony.

Submission of evidence in written form. The Commission desires that evidence-in-chief be prepared in written form, if possible. Such evidence should be submitted as prepared statements by the respective witnesses, with their accompanying exhibits. Such documents should be made available to the Commission by filing copies as in the case of certified statements (hereinafter mentioned). Petitioners should serve copies of such evidence on the parties, including the State Commissions, shown in the appearances, and 50 copies on the Commission on or before August 22, 1949. Protestants should serve copies of such evidence on the State Commissions shown in the appearances, 20 copies on Joseph F. Eshelman, 1740 Broad Street Station Building, Philadelphia 3, Pennsylvania, and 30 copies on the Commission on or before September 12, 1949.

Verified statements (affidavits). Verified statements (affidavits) submitted without personal appearance of the affiant as a witness may be received in the absence of objection. Parties offering such statements should make available as early as possible during the hearing copies in the number hereinbefore indicated as to other evidence for the Commission and other parties, including the petitioners. Notice of any objection to the receipt of any such statement in evidence should be given to the Commission and to the party submitting the statement promptly following the receipt of such statement. If no such notice is given promptly it will be considered that objection to the receipt of the statement in evidence is waived, but objection to the weight to be accorded the statement of facts is reserved. Such statements should conform to the rules of practice in respect of style, mimeographing or printing, etc. They should be limited strictly to statements of fact and contain no argument, and if not so limited may be excluded. The Commission on its own motion or on objection may exclude a verified statement of any portion thereof which (a) is not material or relevant to the questions presented in this proceeding, (b) is obviously incompetent, or (c) is argumentative in character. In the absence of objection to introduction of the verified statement it will be unnecessary for the affiant to appear personally at the hearing. All verified statements received in evidence will be part of the record in the proceeding, upon which the Commission will base its decision.

Correspondence. Correspondence relative to this matter should be addressed to the Commission at Washington, D. C., with a reference to the docket number, No. 29770.

[F. R. Doc. 49-5914; Filed, July 19, 1949; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2162]

THE COLUMBIA GAS SYSTEM, INC. AND NATURAL GAS CO. OF WEST VIRGINIA

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 12th day of July 1949.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiary, Natural Gas Company of West Virginia ("Natural Gas"), having filed a joint application-declaration, pursuant to the provisions of sections 6 (b), 9, 10, and 12 of the Public Utility Holding Company Act of 1935, with respect to the following proposed transaction:

Natural Gas proposes to sell to Columbia $1,000,000 principal amount of 3¼% Installment Promissory Notes. Such notes are to be unsecured and are to be paid in equal annual installments on February 15 of each of the years 1952 to 1976, inclusive. It is stated that the proceeds to be obtained through the issue and sale of the notes will be utilized by Natural Gas in connection with its construction program. It is proposed that Natural Gas issue and sell the notes at such times and in such amounts as funds are required, none of such notes, however, to be issued and sold subsequent to December 31, 1949.

The Public Service Commission of West Virginia approved the issue and sale of the 3¼% notes by order dated June 28, 1949.

Said joint application-declaration having been duly filed and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said joint application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said joint application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said joint application-declaration be granted and permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the said joint application-declaration be, and hereby is, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-5905; Filed, July 19, 1949; 8:51 a. m.]

[File No. 54-179]

NATIONAL GAS AND ELECTRIC CORP. ET AL.

NOTICE OF FILING PLAN PURSUANT TO SECTION 11 (e) AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 13th day of July A. D. 1949.

In the matter of National Gas & Electric Corporation, National Gas & Oil Corporation, National Utilities Company of Michigan, File No. 54-179.

Notice is hereby given that National Gas & Electric Corporation ("National"), a registered holding company, and two of its subsidiary companies, namely, National Gas & Oil Corporation ("Gas & Oil"), and National Utilities Company of Michigan ("Michigan"), have filed, pursuant to section 11 (e) and other applicable provisions of the Public Utility Holding Company Act of 1935, a plan proposing, in brief, the reclassification of Michigan's common stock, the merger of National with and into Gas & Oil, and the exchange of each share of presently outstanding common stock of National for one share of common stock of Gas & Oil and one-half share of common stock of Michigan. All interested persons are referred to said plan, which is on file in the office of the Commission, for a full statement of the transactions therein proposed, which may be summarized as follows:

(1) National will make a contribution to Michigan of $100,000, consisting of cash and an account receivable.

(2) Michigan will amend its Articles of Incorporation so that its authorized capital stock will be increased from 22,000 shares of no par value common stock to 250,000 shares of common stock of the par value of $1.00 per share.

(3) Michigan will issue, and National will acquire, 222,436.277 shares of the new common stock of Michigan in exchange for the 22,000 shares of Michigan's common stock presently outstanding and owned by National.

(4) National will merge into Gas & Oil, pursuant to an Agreement of Merger of said companies, with Gas & Oil being the surviving corporation having an authorized capitalization of 450,000 shares of common stock of the par value of $5.00 per share. It is proposed that all the presently outstanding common stock of Gas & Oil (6,460 shares, par value of $100 each), which is held by National, will be surrendered to Gas & Oil for cancellation, and Gas & Oil will issue 444,872.554 shares of its new common stock, the entire amount to be outstanding.

(5) Holders of National's common stock will receive, in respect of each share held, one share of new common stock of Gas & Oil and one-half share of new common stock of Michigan.

Holder's of National's formerly outstanding 5½% First Mortgage Collateral Gold Bonds due 1953, 5½% Convertible Gold Notes due 1931, $6.50 Preferred Stock, and Voting Trust Certificates ("Prior Reorganization Plan Securities") who have not previously surrendered such securities pursuant to the terms of National's 1933 Plan of Reorganization

("1933 Plan") shall be entitled to receive their pro rata distributions of new common stocks of Gas & Oil and of Michigan as though such Prior Reorganization Plan Securities had been surrendered under the 1933 Plan and, through successive exchanges, had been exchanged for common stock (or fractions thereof) of National.

(6) The Consummation Date for the proposed plan, to be fixed by National, will be a date as soon as practicable after entry of an order by an appropriate court approving and enforcing the plan.

(7) On and after the Consummation Date, the common stock of National will no longer be transferrable on the books of National, and the rights of all stockholders of National, as such, will thereupon cease except the rights accorded them under the plan.

(8) No fractional shares of Gas & Oil or of Michigan will be issued pursuant to the plan but, in lieu thereof, scrip in bearer form will be issued representing the right, within a two-year period from the Consummation Date, to combine such scrip into lots of one or more full shares and to convert such combined scrip into one or more full shares. After the expiration of said period of two years from the Consummation Date, all shares of Gas & Oil and of Michigan representing unconverted scrip will be sold by the respective companies, and the holders of such unconverted scrip will thereafter, and until a date six years from the Consummation Date, be entitled to receive the cash proceeds of such sale (less related expenses and taxes, if any) upon surrender of such unconverted scrip.

(9) Persons entitled to receive shares of the common stocks of Gas & Oil and of Michigan pursuant to the plan (including holders of scrip therefor who convert the scrip into full shares within the two-year period as described above in paragraph 8) will be entitled to receive, in addition to such shares, all dividends declared by Gas & Oil and Michigan between the Consummation Date and the date of delivery of said shares to such persons.

(10) After the expiration of a period of six years from the Consummation Date, all unclaimed shares of the new common stocks of Gas & Oil and of Michigan, together with all cash representing dividends paid thereon and all unclaimed cash derived from the sale of shares of said stocks representing unconverted scrip therefor, shall be turned over to Gas & Oil and to Michigan, respectively, and shall thereafter be free from any claims thereon. Provision is made for notice to be published prior to expiration of said six year period advising interested persons of the pending termination of their rights under the plan.

(11) Gas & Oil will pay all fees and expenses incurred in connection with the plan in such amounts as may be approved, allocated, or awarded by the Commission.

(12) The Commission is requested that any order approving the plan shall contain the provisions and recitals necessary or appropriate to make available to the stockholders of National and to National the benefits of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof.

(13) The Commission is requested, in the event it approves the plan, to apply to an appropriate District Court of the United States for its enforcement.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said plan and the transactions proposed therein and that said plan should not be approved except pursuant to further order of the Commission:

It is ordered, That a hearing be held herein on August 10, 1949, at 10:00 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On that date, the hearing room clerk will advise as to the room in which the hearing will be held. Any person desiring to be heard or otherwise participate in the proceedings should file with the Secretary of the Commission on or before August 3, 1949, his application therefor, as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That James G. Ewell, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the filing, and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters or questions upon further examination:

1. Whether the plan filed herein, as submitted or as it may hereafter be modified, is necessary to effectuate the provisions of section 11 (b) of the act.

2. Whether the plan filed herein, as submitted or as it may hereafter be modified, is fair and equitable to the persons affected thereby.

3. Whether the plan includes appropriate provisions relating to the time within which the holders of common stock of National and the holders of the Prior Reorganization Plan Securities must surrender their securities in exchange for the securities and/or scrip and cash proposed to be distributed under said plan.

4. Whether the accounting entries in connection with proposed transactions are in conformity with the standards of the act.

5. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the applicable statutory standards.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of the filing of the plan and the procedure designated therein by mailing copies of this notice and order by registered mail to National Gas & Oil, and Michigan, and that notice to all others shall be given by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to those persons on the mailing list of the Commission for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered, That National shall give notice of this hearing to all its security holders by mailing to each of said persons at his or her last known address a copy of this notice and order at least fifteen days prior to the date of the hearing herein ordered.

It is further ordered, That National shall give notice of this hearing to the holders of the Prior Reorganization Plan Securities who have failed to effect the exchange of their stock for stock of National to which they are entitled, pursuant to the 1933 plan of reorganization of National, by causing to be published in at least one newspaper of general daily circulation in the city of New York, New York, and in the city of Chicago, Illinois, once a week for two consecutive weeks prior to the date of the hearing herein, a notice stating the date of the hearing and the time the rights of the unexchanged certificates of the Prior Reorganization Securities will terminate and expire under the plan.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-5906; Filed, July 19, 1949; 8:52 a. m.]

[File No. 70-2111]

NEW ENGLAND GAS AND ELECTRIC ASSN. ET AL

NOTICE OF FILING OF APPLICATION-DECLARATION AND ORDER FOR HEARING THEREON

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of July 1949.

In the matter of New England Gas and Electric Association, Cambridge Electric Light Company, Cambridge Gas Light Company, Dedham and Hyde Park Gas Company, Cape & Vineyard Electric Company, New Bedford Gas and Edison Light Company, Plymouth County Electric Company, Worcester Gas Light Company, File No. 70-2111.

Notice is hereby given that a joint application-declaration, with amendments thereto, has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New England Gas and Electric Association ("NEGEA"), a registered holding company, and its utility subsidiaries, Cambridge Electric Light Company, Cambridge Gas Light Company, Dedham and Hyde Park Gas Company, Cape & Vineyard Electric Company, New Bedford Gas and Edison

Light Company, Plymouth County Electric Company and Worcester Gas Light Company. Applicants-declarants designate sections 6 (a), 6 (b) and 7 of the act as applicable to the proposed transactions.

All interested persons are referred to said joint application-declaration which is on file in the office of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

In order to provide themselves with funds, from time to time, as may be required prior to December 31, 1950, to pay for necessary additions and betterments to plant and property, the following applicants propose to issue and sell, prior to such date, their 3% [1] promissory notes in the following aggregate amounts, respectively, to the First National Bank of Boston ("Bank"), under separate loan agreements:

Cambridge Electric Light Co	$402,000
Cambridge Gas Light Co	250,000
Dedham & Hyde Park Gas Co	100,000
Cape & Vineyard Electric Co	600,000
New Bedford Gas & Edison Light Co	2,250,000
Plymouth County Electric Co	825,000
Worcester Gas Light Co	1,200,000
Total	5,627,000

It is stated that prior to the several issuances and sales of notes such issuances and sales will have been approved by the state regulatory commissions having jurisdiction with respect thereto.

The proposed agreements with the Bank are intended to extend the period of availability of certain unexecuted borrowings aggregating $2,800,000 which may be obtained by several of the above companies from the Bank prior to December 31, 1949 at an interest rate of 2½% and to increase the interest rate for such extended borrowings to 3%. However, the companies state that until the proposed agreements with the Bank become effective, the existing agreements are to remain in full force and effect.

NEGEA proposes to offer to the holders of its outstanding 1,246,011 shares of common stock, 124,601 shares of additional common stock on the basis of one share of the additional common stock for each 10 shares of common stock held. The offer will be made through rights issued to the stockholders. Existing shareholders will also be given the privilege to subscribe for any number of additional shares not subscribed for through the exercise of the rights, subject to allotment on a pro rata basis. There will be set forth, by further amendment, the price of the additional shares, the terms of the offering, and the arrangement with dealers to facilitate the offering.

The proceeds of the sale of the additional common stock will be used to retire $1,250,000 principal amount of short term bank notes of NEGEA and the balance will be set aside for the acquisition of additional common stock of subsidiaries.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the proposed transactions and that said joint application-declaration should not be permitted to become effective except pursuant to the further order of this Commission:

It is ordered, Pursuant to the applicable provisions of the act and rules and regulations promulgated thereunder, that a hearing with respect to said joint application-declaration be held on August 2, 1949, at 10 a. m., e. d. s. t., at the offices of this Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 101 will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise participate in this proceeding shall file with the Secretary of the Commission, on or before August 1, 1949, a written request therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Allen MacCullen or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the joint application-declaration and that, upon the basis thereof and without prejudice to additional matters or questions being specified upon further examination, the following matters or questions are presented for consideration:

(1) Whether the issuance and sale of promissory notes by the several applicants herein are solely for the purpose of financing their respective businesses and have been approved by the state regulatory commissions having jurisdiction with respect thereto.

(2) Whether the interest rates proposed to be paid on said notes are reasonable and whether any of the other terms and conditions of the general loan agreement under which said notes are proposed to be issued and sold are detrimental to the public interest or the interest of investors or consumers.

(3) Whether the financial program of NEGEA and its subsidiaries will adequately provide for the repayment of said notes at or before maturity and is otherwise appropriate to the economical and efficient operation of the NEGEA holding company system.

(4) Whether, in the event that the execution of the loan agreement is permitted, a condition should be imposed limiting the amounts to be borrowed thereunder and the time within which said borrowings may be made, without further order of the Commission.

(5) Whether the terms and conditions of the common stock offering are detrimental to the public interest or the interests of investors.

(6) What terms and conditions, if any, with respect to the proposed transactions should be prescribed in the public interest and in the interest of investors and consumers.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this notice of filing and order for hearing to the several applicants-declarants herein, the Public Service Commission of the State of New Hampshire and the Massachusetts Department of Public Utilities, and that notice of said hearing shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-5907; Filed, July 19, 1949; 8:52 a. m.]

[File Nos. 70-1825, 70-2091, 70-2160, 70-2170]

NARRAGANSETT ELECTRIC CO., ET AL.

MEMORANDUM OPINION AND INTERIM ORDER

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 13th day of July A. D. 1949.

In the matter of The Narragansett Electric Company, File No. 70-2091; Attleboro Steam and Electric Company, Beverly Gas and Electric Company, Central Massachusetts Electric Company, Eastern Massachusetts Electric Company, Gardner Electric Light Company, Gloucester Electric Company, Gloucester Gas Light Company, Granite State Electric Company, Haverhill Electric Company, Lawrence Gas and Electric Company, The Lowell Electric Light Corporation, Malden and Melrose Gas Light Company, Worcester Suburban Electric Company, New England Power Company, Northampton Electric Lighting Company, Northern Berkshire Gas Company, Quincy Electric Light and Power Company, Salem Gas Light Company, Southern Berkshire Power & Electric Company, Suburban Gas and Electric Company, Wachusett Electric Company, Weymouth Light and Power Company, Worcester County Electric Company, File No. 70-1825; New England Power Company, New England Electric System, File No. 70-2160; Worcester County Electric Company, File No. 70-2170.

On May 31, 1949, New England Power Company ("NEPCO") and its parent company, New England Electric System ("NEES"), a registered holding company, filed a joint application pursuant to sections 6 (b) and 10 of the Public Utility Holding Company Act of 1935 (File No. 70-2160). NEPCO proposed therein to issue and sell to the public under the competitive bidding provisions

[1] Dedham & Hyde Park Gas Company notes will bear interest at the rate of 3½%.

of Rule U-50 $5,000,000 principal amount of first mortgage bonds and also proposed to issue and sell to NEES 160,000 shares of common stock. NEES, which owns all of the presently outstanding common shares of NEPCO, proposed to acquire said 160,000 common shares for a cash consideration of $4,000,000. At the request of NEPCO and NEES, the common stock proposals were given separate consideration and, by separate order, we approved the joint application insofar as it related to the common stock proposals and reserved jurisdiction over the issuance of bonds by NEPCO.

On June 10, 1949, Worcester County Electric Company ("Worcester County"), also a subsidiary company of NEES, filed an application pursuant to section 6 (b) of the act and Rule U-50 thereunder in which it proposed to issue and sell to the public at competitive bidding $5,500,000 principal amount of first mortgage bonds (File No. 70–2170). We here consider the bond proposals of NEPCO and Worcester County (hereinafter sometimes referred to as "the applicant companies"). Each of the applicant companies proposes to use the net cash proceeds derived from the proposed sale of its bonds to pay off its promissory note indebtedness and, to the extent that such proceeds exceed its note indebtedness then outstanding, to use such excess for additional construction or to reimburse its treasury for construction expenditures previously made. The Massachusetts Department of Public Utilities, the Vermont Public Service Commission, and the New Hampshire Public Service Commission have expressly authorized the proposed issuance of bonds by NEPCO and the Massachusetts Department of Public Utilites also approved Worcester County's bond proposal.

Both bond proposals, together with a proposal by Narragansett to issue $2,350,000 of additional promissory notes (File No. 70–2091), were consolidated with the proceeding instituted by us on April 12, 1949 (File No. 70–1825) in which we directed that NEES and certain of its subsidiary companies, including NEPCO and Worcester County, show cause why our authorization contained in a previous order dated March 14, 1949, permitting said subsidiary companies to issue additional promissory notes should not be amended to the extent necessary to terminate such authorization with respect to promissory notes not already issued at the time of any such termination or why we should not impose additional terms and conditions with respect to such notes. After appropriate notice, a hearing was held on the proposed bond issues of NEPCO and Worcester County. We have considered the record and since each bond proposal has been expressly authorized by the State Commissions of the states in which each of the applicant companies is organized and doing business and since each bond issue is solely for the purpose of financing the business of the applicant company, the proposed bond issues are entitled to an exemption from the provisions of section 6 (a) of the act under the third sentence of section 6 (b). The only remaining issue is whether it is appropriate in the public interest or for the interest of investors or consumers to impose terms and conditions with respect thereto.

Prior to the opening of the hearing on the instant bond proposals, we issued a Memorandum Opinion in the consolidated proceedings (The Narragansett Electric Company, et al., — S. E. C. — (1949), Holding Company Act Release No. 9212). In this opinion we pointed out that financing proposals by companies in the NEES system cannot be realistically considered except on a system basis (see also Central Power and Light Company, — S. E. C. — (1947), Holding Company Act Release No. 7901) and we took the opportunity to express our views with respect to the necessity of reducing or eliminating the NEES system's outstanding promissory note indebtedness through funds procured in part, through the issuance of common stock by NEES. It is clear from the testimony at the hearing that the bond issues of NEPCO and Worcester County are being proposed in the light of what we said there and with full knowledge that the proposed bond issues may substantially exhaust the total amount of long term debt or other senior securities, which the system companies may appropriately issue for the purpose of permanently refinancing the system's presently outstanding short term note indebtedness. In view of this and relying on representations made in previous applications that the ultimate permanent financing of the system's short term note indebtedness would be done principally by the sale of common stock by the subsidiary companies which, except for a small portion taken by minority stockholders under preemptive rights, would be purchased by NEES and that NEES would obtain a substantial portion of the funds needed for investment in the common stocks of its subsidiary companies through the issuance and sale of its own common stock, we do not deem it appropriate to impose any terms and conditions other than those customarily imposed at this stage of a proposal to issue bonds.

Neither NEPCO nor Worcester County has estimated its total fees and expenses in connection with its proposed bond issue and we will reserve jurisdiction with respect thereto. NEPCO has requested that the ten-day period for inviting bids as required by Rule U-50 be shortened to not less than six days and our order will so provide.

It is hereby ordered, That the application of New England Power Company to issue and sell $5,000,000 principal amount of bonds and the application of Worcester County Electric Company to issue and sell $5,500,000 principal amount of bonds be, and the same hereby are, granted forthwith subject, however, to the terms and conditions prescribed in Rule U-24, and to the further condition that the proposed sale of said bonds by the applicant companies shall not be consummated until the results of competitive bidding with respect to said bonds pursuant to Rule U-50 shall have been made a matter of record in these proceedings, and a further order shall have been entered in the light of the record so completed which order may contain such further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purposes.

It is further ordered, That jurisdiction be, and the same hereby is, reserved with respect to all fees and expenses in connection with said bond issues.

It is further ordered, That, in accordance with the request of New England Power Company, the ten-day period for inviting bids as provided by Rule U-50 be, and the same hereby is, shortened to a period of not less than six days.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49–5908; Filed, July 19, 1949; 8:52 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13484]

GREGOR FUNK

In re: Estate of Gregor Funk a/k/a George Funk, deceased. File D–28–12643; E. T. Sec. 16822.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Alois Funk, whose last known address was on June 20, 1949, Germany, was on such date a resident of Germany, and national of a designated enemy country (Germany);

2. That the sum of $458.42 was paid to the Attorney General of the United States by Kunigunde Schelhorn, Administratrix of the Estate of Gregor Funk a/k/a George Funk, deceased;

3. That the said sum of $458.42 was accepted by the Attorney General of the United States on June 20, 1949, pursuant to the Trading With the Enemy Act, as amended;

4. That the sum of $458.42 is presently in the possession of the Attorney General of the United States and was property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof was not within a designated enemy country on June 20, 1949, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany) on such date.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, ad-

ministered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-5921; Filed, July 19, 1949; 8:47 a. m.]

[Vesting Order 13486]

WILLIAM A. GASTON

In re: Trust under Article Eight of the will of William A. Gaston, deceased. File No. D-28-7391; E. T. Sec. 16819.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Berta Markwitz, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the Trust created under Article Eight of the will of William A. Gaston, deceased,

is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Merrill Griswold, John Gaston, Donald C. Watson and Cornelius C. Felton, as co-trustees, acting under the judicial supervision of the Probate Court of Suffolk County, Boston, Massachusetts;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-5922; Filed, July 19, 1949; 8:47 a. m.]

[Vesting Order 13492]

FRED C. MOLLNAU

In re: Estate of Fred C. Mollnau, deceased. File No. D-28-12648; E. T. sec. 16825.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gottfried Mollnau, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Fred C. Mollnau, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Charles F. Rapp, as administrator, acting under the judicial supervision of the County Court, Hudson County, Probate Division, New Jersey;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-5923; Filed, July 19, 1949; 8:47 a. m.]

[Vesting Order 13497]

MAX SALZMANN

In re: Estate of Max Salzmann, deceased. File No. D-28-11797; E. T. Sec. 16010.

Under the authority of the Trading With the Enemy Act, as amended; Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Walter Kratzsch, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the estate of Max Salzmann, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Earl H. Gromer, as administrator with the will annexed, acting under the judicial supervision of the Probate Court of Kane County, Illinois;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-5924; Filed, July 19, 1949; 8:47 a. m.]

[Vesting Order 13498]

MAX SALZMANN

In re: Estate of Max Salzmann, deceased. File No. D-28-11797; E. T. Sec. 16010.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Walter Salzmann, Albin Salzmann, Anna Salzmann, Margarethe Schnaubert, Vera Schnaubert, Frau Elsie (Elise) Pohlo, and Frau Anna Korn, nee Frank, whose last known address was, on February 14, 1949, Germany, were on such date residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of $21,768.92 was paid to the Attorney General of the United

States by Earl H. Gromer, administrator with the will annexed of the estate of Max Salzmann, deceased;

3. That the said sum of $21,768.92 was accepted by the Attorney General of the United States on February 14, 1949, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of $21,768.92 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof were not within a designated enemy country on February 14, 1949, the national interest of the United States required that such persons be treated as nationals of a designated enemy country (Germany) on such date.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-5925; Filed, July 19, 1949; 8:47 a. m.]

[Vesting Order 13501]

HERMAN SCHRODER

In re: Estate of Herman Schroder, deceased. File No. D-28-10039; E. T. Sec. No. 14236.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Katrina (Katharina) Schroder, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the estate of Herman Schroder, deceased, is property payable or deliverable to, or claimed by the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Lafayette McLaws and Annie Schroder Siceloff, as executors, acting under the judicial supervision of the Ordinary Court of Chatham County, Savannah, Georgia;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-5926; Filed, July 19, 1949; 8:47 a. m.]

[Vesting Order 13525]

REIICHI MUROI

In re: Safe deposit box owned by Reiichi Muroi, also known as R. Muroi.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Reiichi Muroi, also known as R. Muroi, whose last known address is Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. All rights and interests created in Reiichi Muroi, also known as R. Muroi, under and by virtue of a safe deposit box lease agreement by and between Reiichi Muroi, also known as R. Muroi, and Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, relating to safe deposit box numbered 305, located in the vault of the West Fresno Branch, of the aforesaid bank, Fresno, California, including particularly but not limited to the right of access to said safe deposit box, and

b. All property of any nature whatsoever, owned by Reiichi Muroi, also known as R. Muroi, located in the said safe deposit box referred to in subparagraph 2-a hereof, and all rights and interests of said person, evidenced or represented thereby,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Reiichi Muroi, also known as R. Muroi, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-5927; Filed, July 19, 1949; 8:47 a. m.]

[Vesting Order 13527]

WILLIE O. L. PRIOR

In re: Cash owned by Willie O. L. Prior. F-28-23596-A-1, E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Willie O. L. Prior, whose last known address is Bielefeld, i/W Kiskerstr. 10, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Cash in the amount of $112.96 presently held in the custody of the Attorney General of the United States, representing the proceeds from a check numbered 6, dated May 11, 1949, in the amount of $112.96, drawn by Wherry, Smyth and Weadock, on the New York Trust Company, 100 Broadway, New York, New York, payable to the order of the Attorney General of the United States, said check having been issued in payment of a debt or other obligation of the aforesaid Wherry, Smyth and Weadock owed to Willie O. L. Prior,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Willie O. L.

Prior, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-5928; Filed, July 19, 1949; 8:47 a. m.]

[Vesting Order 13529]

HENRY I. SATOH AND LOU H. SATOH

In re: Safe deposit box owned by Henry I. Satoh, also known as Henry Ichio Satoh and as Ichio Sato and property owned by Henry I. Satoh, also known as Henry Ichio Satoh and as Ichio Sato and Lou H. Satoh. F-39-3852-F-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Henry I. Satoh, also known as Henry Ichio Satoh and as Ichio Sato, and Lou H. Satoh, each of whose last known address is Nagano, Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. All rights and interests created in Henry I. Satoh, also known as Henry Ichio Satoh and as Ichio Sato, and Lou H. Satoh, under and by virtue of a safe deposit box lease agreement by and between Henry I. Satoh, also known as Henry Ichio Satoh and as Ichio Sato, and The First National Bank of Portland, Main Branch, 5th, 6th and Stark Streets, Portland, Oregon, relating to safe deposit box numbered 6019, located in the vault of said Main Branch, including particularly but not limited to the right of access to said safe deposit box, and

b. All property of any nature whatsoever, owned by Henry I. Satoh, also known as Henry Ichio Satoh and as Ichio Sato, and Lou H. Satoh, located in the safe deposit box referred to in subparagraph 2-a hereof, and all rights and interests of said persons, evidenced or represented thereby,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-5930; Filed, July 19, 1949; 8:48 a. m.]

[Vesting Order 13538]

F. WILLIAM BOCK

In re: Estate of F. William Bock, deceased. File D 28-2032 E. T. Sec. 2172.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Keiser, Pauline Seipt, Carl Donath, Gustaf Lehmann, Ernst Bock, Paul Fournes and Ernst Richter, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Anna Keiser, of Pauline Seipt, of Carl Donath, of Gustaf Lehmann, of Ernst Bock, of Paul Fournes and of Ernst Richter, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of F. William Bock, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Margaret Bock, Executrix, acting under the judicial supervision of the Probate Court, Cook County, Illinois,

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof, and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Anna Keiser, of Pauline Seipt, of Carl Donath, of Gustaf Lehmann, of Ernst Bock, of Paul Fournes and of Ernst Richter, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 13, 1949.

For the Attorney General:

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-5931; Filed, July 19, 1949; 8:48 a. m.]

[Vesting Order 13528]

ANNA NEUMANN-BURRI

In re: Stock owned by and debt owing to Anna Neumann-Burri. F-28-30174-A-1, E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Neumann-Burri, on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Brown Brothers Harriman & Co., presently in the custody of said Brown Brothers Harriman & Co., 59 Wall Street, New York 5, New York,

held in a blocked account for Banque Populaire Suisse, Basle, Switzerland, for the beneficial interest of Anna Neumann-Burri, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation owing to Anna Neumann-Burri, by Brown Brothers Harriman & Co., 59 Wall Street, New York 5, New York, arising out of a checking account, maintained with the aforesaid Brown Brothers Harriman & Co., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Anna Neumann-Burri, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name and address of issuing corporation	State of incorporation	Certificate No.	Number of shares	Class of stock	Registered owner
Anaconda Copper Mining Co., 25 Broadway, New York 4, N. Y.	Montana	F 845872	5	Capital	Brown Brothers Harriman & Co.
Bethlehem Steel Corp., 25 Broadway, New York 4, N. Y.	Delaware	L 153174	5	Common	Do.
		X 49159	10	do	Do.
International Nickel Co. of Canada Ltd., 67 Wall St., New York 5, N. Y.	Dominion of Canada	NB 249835	7	do	Do.
United States Steel Corp., 71 Wall St., New York, N. Y.	New Jersey	P 29361	5	do	Do.

[F. R. Doc. 49-5929; Filed, July 19, 1949; 8:48 a. m.]

[Vesting Order 13539]

JOHN M. BROCKMAN AND SECURITY TRUST AND SAVINGS BANK

In re: Trust under Agreement dated July 21, 1922, between John M. Brockman, Trustor, and Security Trust and Savings Bank, Trustee. File No. D-28-6348.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Augusta Antonie Bruchmann, Katherina Ernestine Amalie Bruchmann, Maria Elizabeth Zwanzig nee Bruchmann, Adam Heinrich Bruchmann, Edith Bruchmann nee Schulz, Eva Grothe nee Bruchmann, Martha Bruchmann nee Starke, Friedrich Wilhelm Lenz, Helene Beck nee Weigand, and Adam Beck, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs at law, issue, next-of-kin, legatees and distributees, names unknown, of Elizabeth Bruchmann nee Knapp, deceased, of Franz Bruchmann, deceased, of Theodor Bruchmann, deceased, of Mrs. William Lenz nee Margareta Bruchmann, deceased, of Mrs. Andreas Weigand nee Kaethe Bruchmann, deceased, and of Helene Bruchmann, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to and arising out of or under that certain trust agreement dated July 21, 1922, by and between John M. Brockman, Trustor, and Security Trust and Savings Bank, Trustee, presently being administered by the Security First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles, California, as Trustee, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs at law, issue, next-of-kin, legatees and distributees, names unknown, of Elizabeth Bruchmann nee Knapp, deceased, of Franz Bruchmann, deceased, of Theodor Bruchmann, deceased, of Mrs. William Lenz nee Margareta Bruchmann, deceased, of Mrs. Andreas Weigand nee Kaethe Bruckmann, deceased, and of Helene Bruckmann, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 13, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-5932; Filed, July 19, 1949; 8:48 a. m.]

[Return Order 93, Amdt.]

NIRO AOKI ET AL.

Return Order No. 93, dated March 2, 1948, is hereby amended by striking therefrom the figures $50.50, representing the property returned to the claimants Mrs. Elsie K. Dang (Kimiko Date) and Tora Date, 3112 Francis Street, Honolulu, T. H. (Claim No. 7018), and substituting therefor the figures $552.39.

All other provisions of Return Order No. 93 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto, and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on July 12, 1949.

For the Attorney General.

DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-5933; Filed, July 19, 1949; 8:48 a. m.]